

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1202154-0

Total Deleted Page(s) = 119

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NIC/W14 162638

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SEARCHED	INDEXED
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1/29/77	
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198-518-
20-11609-125

SEARCHED	INDEXED
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1987	
FBI - MINNEAPOLIS	

Quigley
Schroeder E

AC 122 029118Z

FM RC

DE RC

R 02213 JAN 77

FM RAPID CITY (75-9923) (75-11329)

TO DIRECTOR (75-55273) (ROUTINE)

BT

CLEAR

[REDACTED] FUGITIVE; ET AL; CID - ADM;
BURGLARY; HARBORING; OO: RAPID CITY (MINNEAPOLIS).

RE REPORT OF SA WALTER P. J. QUIGLEY, ROVER DET. 3,
1976, AT RAPID CITY.

[REDACTED] APPREHENDED JANUARY 23, 1977, BY SOUTH DAKOTA
HIGHWAY PATROL NEAR SPRINGFIELD, SOUTH DAKOTA, WITHOUT
INCIDENT, BASED ON INFORMATION PROVIDED THROUGH BUREAU
INVESTIGATION.

WARRANT ISSUED ON JUNE 23, 1973, AT SIOUX FALLS, SOUTH
DAKOTA, IN CONNECTION [REDACTED] [REDACTED] JOSEPH WEAVER AT
WABER, SOUTH DAKOTA.

198-518-
~~70-11609-124~~

Quigley *CR*

Searched _____
Serialized *mal*
Indexed _____
Filed *BAO*

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PAGE TWO KC 75-9926/75-11529 3L1AM

WARRANT ALSO ISSUED ON JULY 22, 1975, AT SIOUX FALLS,
SOUTH DAKOTA, IN CONNECTION WITH THE [REDACTED]

[REDACTED] AT WAGNER, SOUTH DAKOTA.

[REDACTED] TRANSPORTED FROM THE SPRINGFIELD AREA BY AGENTS
OF THE SOUTH DAKOTA DEPARTMENT OF CRIMINAL INVESTIGATION TO
THE SOUTH DAKOTA STATE PENITENTIARY AT SIOUX FALLS, SOUTH
DAKOTA. U. S. MARSHALS, SIOUX FALLS, SOUTH DAKOTA, BEING
ADVISED OF SUBJECT'S CURRENT LOCATION AND ARRANGEMENTS MADE
FOR SERVICE OF OUTSTANDING PROCESS ON [REDACTED]

SCIS CLEARED. REPORT FOLLOWS.

BT

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RAPID CITY	OFFICE OF ORIGIN RAPID CITY (MINNEAPOLIS)	DATE 1/24/77	INVESTIGATIVE PERIOD 1/5/77
TITLE OF CASE CHANGED [REDACTED] - FUGITIVE; ET AL. RUSSELL MEANS - VICTIM JOHN W. THOMAS - VICTIM		REPORT MADE BY WILLIAM R. SCHROEDER	TYPED BY arw
		CHARACTER OF CASE CIR - ASSAULT WITH INTENT TO KILL; JDA; UNLAWFUL POSSESSION OF A PISTOL BY A FELON; USE OF A FIREARM IN COMMISSION OF A FELONY; ADW; ACCESSORY AFTER THE FACT	

Title changed to reflect middle name of [REDACTED]

REFERENCE

Rapid City report of SA WILLIAM R. SCHROEDER 9/20/76.

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-P-

ADMINISTRATIVE

Subject [REDACTED] as result of plea bargain, plead guilty to ADW on 1/3/77 in USDC, Sioux Falls, South Dakota. [REDACTED] sentenced to 2½ years in the custody of the Attorney General.

Minneapolis claiming one conviction in this matter.

LEADSRAPID CITYAT WAGNER, SOUTH DAKOTA - *Schroeder*

ACCOMPLISHMENTS CLAIMED <input type="checkbox"/> NONE						ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
1-MP <i>any</i>							
APPROVED						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
2 - Bureau (70-68145)							
1 - USA, Sioux Falls, South Dakota							
1 - ASO, BIA, Fort Thompson, South Dakota							
(3) - Rapid City (70-11609) <i>any</i>						<i>any</i> 198-518- 2-11609-123	
Dissemination Record of Attached Report						Notations	
Agency						Searched	
Request Recd.						Serialized <i>any</i>	
Date Fwd.						Indexed	
How Fwd.						Filed	
By						Schroeder <i>S</i>	

RC 70-11609

Will interview [redacted]
[redacted] as to whether or not [redacted]
[redacted] RUSSELL MEANS on the night he was shot.

AT PIERRE, SOUTH DAKOTA

- Schroeder

Will follow and report results of prosecution.

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B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA Sioux Falls, South Dakota
1 - [REDACTED] Agency Special Officer
Bureau of Indian Affairs
Fort Thompson, South Dakota

Copy to:

Report of: WILLIAM R. SCHROEDER
Date: January 24, 1977

Office: Rapid City, South Dakota

Field Office File #: 70-11609

Bureau File #: 70-68145

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Title:

ET AL.
RUSSELL MEANS - VICTIM
JOHN W. THOMAS - VICTIM

~~Character:~~

Character: CRIME ON INDIAN RESERVATION - ASSAULT WITH INTENT TO KILL;
x Synopsis JUVENILE DELINQUENCY ACT; UNLAWFUL POSSESSION OF A PISTOL
BY A FELON; USE OF A FIREARM IN COMMISSION OF A FELONY;
ASSAULT WITH A DANGEROUS WEAPON; ACCESSORY AFTER THE FACT

Synopsis: Title changed to reflect middle name of subject [REDACTED]
[REDACTED] plead guilty on 1/3/77 to charge of ADW.
Remaining charges against [REDACTED] dismissed and [REDACTED]
sentenced to 2½ years in custody of Attorney General.
Trial for subjects [REDACTED] and [REDACTED]
[REDACTED] to commence on 2/17/77 at Sioux Falls,
South Dakota. ARMED AND DANGEROUS.

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DETAILS

On January 5, 1977, United States Attorney WILLIAM F. CLAYTON, District of South Dakota, Sioux Falls, South Dakota, advised that [REDACTED] had plead guilty in U. S. District Court, Sioux Falls, on January 3, 1977, to the charge of Assault with a Dangerous Weapon. The remaining charges against [REDACTED] were dismissed and [REDACTED] was sentenced to 2½ years to the custody of the Attorney General of the United States.

United States Attorney CLAYTON advised that the trial of [REDACTED] and [REDACTED] would commence in Sioux Falls on February 17, 1977.

I*

RECORD OF INFORMATION FURNISHED OTHER AGENCIES

Orally _____ date _____ By Telephone _____ date _____ Written Communication 1/24/77 date _____

Information concerning:

[REDACTED] - FUGITIVE;

ET AL.

RUSSELL MEANS

VICTIM

[REDACTED] - VICTIM; CIR - ASSAULT WITH INTENT TO KILL; ETC.

Information furnished from File, Serial, and Page Number:

70-11609

Information furnished was obtained:

☒ during course of Bureau investigation☐ from informants☐ from complainants or other sourcesb6
b7C

Information furnished to:

[REDACTED] ASO, BIA, Fort Thompson, South Dakota

Number of items disseminated: 1

Remarks:

Report indicating [REDACTED] plea of guilty and sentencing for ADW.

SA WILLIAM R. SCHROEDER

Special Agent

① - 70-11609

1 - 66-3207A

WRS:arw

(2) *arw*

198-518-
70-11609-122

SEARCHED	INDEXED
SERIALIZED <i>OK</i>	FILED <i>OK</i>
JAN 24 1977	
FBI - MINNEAPOLIS	

F B I

Date: 1/27/77

Transmit the following in CLEAR
(Type in plaintext or code)Via TELETYPE ROUTINE
(Precedence)

003

FM RAPID CITY (70-11609) (P)

TO DIRECTOR (70-68145) ROUTINE ,

BT

CLEAR

ATTENTION FBI LABORATORY (LABORATORY NUMBER PC-M7924NMOI)

[REDACTED] FUGITIVE; [REDACTED]

[REDACTED] AKA;

RUSSELL MEANS - VICTIM; [REDACTED] - VICTIM, CIR - ASSAULT

WITH INTENT TO KILL; JDA; UNLAWFUL POSSESSION OF PISTOL BY A

FELON; USE OF A FIREARM IN COMMISSION OF A FELONY; ADW;

ACCESSORY AFTER THE FACT, OO: RAPID CITY (MINNEAPOLIS).

ON JANUARY 27, 1977, U.S. ATTORNEY (USA) WILLIAM F. CLAYTON,
SIOUX FALLS, SOUTH DAKOTA, ADVISED THAT TRIAL IN CAPTIONED
MATTER WAS SET FOR FEBRUARY 7, 1977, AT SIOUX FALLS, SOUTH DAKOTA.

1 - Rapid City
WRS/dlo
(1) *WRS*

198-518-
~~90-11609-121~~
Searched *SK*
Indexed
Filed *SK*

*Schneider*Approved: *WRS*

Special Agent in Charge

Sent

02482

M Per *WRS*

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____
(Precedence)

PAGE TWO RC 70-11609 CLEAR

USA CLAYTON HAS REQUESTED THE PRESENCE OF LAB EXAMINER WHO
PROCESSED T-SHIRT RECEIVED FROM FRED ZEPHIER AND DETERMINED
THAT THE HUMAN BLOOD ON THE T-SHIRT WAS GROUP O.

ARMED AND DANGEROUS.

BT

#

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (70-11609)

DATE: 12/2/76

FROM : SA WILLIAM R. SCHROEDER

SUBJECT: [REDACTED] - FUGITIVE

ET AL.

RUSSELL MEANS - VICTIM

[REDACTED] - VICTIM

CIR -

USA WILLIAM CLAYTON has requested that the medical records of RUSSELL MEANS and [REDACTED] be obtained from Sacred Heart Hospital, Yankton, South Dakota.

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USA has provided copies of signed release forms from [REDACTED], but as yet has not been able to obtain authorization from RUSSELL MEANS.

USA has also requested that the [REDACTED] of Wagner, South Dakota, be interviewed inasmuch as RUSSELL MEANS stated before the FGJ that the three .25 caliber live rounds of ammunition which fell out of his clothing at Sacred Heart Hospital in Yankton were [REDACTED]

LEADS

RAPID CITY

AT WAGNER, SOUTH DAKOTA

Will interview the [REDACTED] of Wagner, as to whether or not [REDACTED] RUSSELL MEANS the night he was shot.

AT YANKTON, SOUTH DAKOTA

Will obtain hospital records concerning the treatment of [REDACTED] in May, 1976, at Sacred Heart Hospital.

4 - Rapid City

WRS:arw

(4)



5010-108-02

(Case 4 to Schroeder)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

70-11609-100
SEARCHED [] INDEXED []
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Records
Submitted by
U.S. District
Court, S.D.
and will be
forwarded for
trial purposes
Representative
of Sacred Heart Hosp.
Yankton S.D.
12/2/76
[initials]

AUTHORIZATION FOR MEDICAL AND/OR HOSPITAL INFORMATION

TO WHOM IT MAY CONCERN:

Re: Medical records of



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This is to authorize any physician, hospital, medical attendant or others, to furnish to the United States Attorney or any representative thereof, any and all information or opinions which they may request regarding the physical condition and treatment of [redacted] and to allow them to see, copy or photograph any x-rays, reports or records pertaining to the physical condition or treatment of [redacted], including information concerning his present condition and his past medical history. I hereby waive any privilege I have to said information.

Dated this 22 day of November 1976.



SEARCHED _____	INDEXED _____
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DEC 3 1976	
FBI - MINNEAPOLIS	

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RAPID CITY	OFFICE OF ORIGIN RAPID CITY (MINNEAPOLIS)	DATE 11/30/76	INVESTIGATIVE PERIOD 7/20 - 11/19/76
TITLE OF CASE [REDACTED] - FUGITIVE; [REDACTED]		REPORT MADE BY WALTER P. J. QUIGLEY	TYPED BY arw
		CHARACTER OF CASE CIR - ADW; BURGLARY; HARBORING	

(Title Continued Cover Page B)

REFERENCES

Rapid City report of SA WILLIAM R. SCHROEDER 7/20/76;
 Kansas City airtel to Rapid City 7/27/76;
 Kansas City letter to Rapid City 8/5/76.

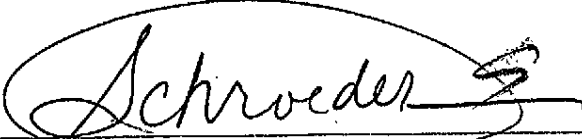
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ADMINISTRATIVE

Copy designated for Rapid City File 70-11609. Bufile 70-68145, which involves [REDACTED] [REDACTED] [REDACTED] RUSSELL MEANS. The only thing remaining to be accomplished in instant case is apprehension of [REDACTED] and disposition of outstanding Federal charges against him in connection with the [REDACTED] in Wagner, South Dakota, in 1974.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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2 - Bureau (70-65273)			
1 - USA, Sioux Falls, South Dakota			
1 - ASO, Yankton Indian Reservation Fort Thompson, South Dakota			
3 - Rapid City (70-68145)			
(1) - 70-11609 [REDACTED]		198-518-	
Dissemination Record of Attached Report		Notations 70-11609-119	
Agency			
Request Recd.			
Date Fwd.			
How Fwd.			
By			

COVER PAGE

VICTIM;
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- VICTIM;
VICTIM;
JR. - VICTIM;
- VICTIM;
VICTIM

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[redacted] BIA, Wagner, South Dakota. [redacted]
[redacted] is an extremely cooperative police officer and advised

[redacted] 30/12/76 [redacted]
[redacted]
[redacted]
[redacted] points out
that [redacted]
word get out that he furnished any information to the law
and, therefore, ~~His~~ identity must be kept strictly
confidential. Officer [redacted] indicated he anticipated
[redacted] may again be in a position to furnish information
leading to subject's apprehension. He could make no
guarantees to that effect, citing the fact that [redacted]

[REDACTED] RUSSELL MEANS, who is roundly despised by most of the Indian communities in the area and [REDACTED] is reluctant to further aid the law because of this fact.

LEADS

RAPID CITY

AT WAGNER, SOUTH DAKOTA

RC 70-99257

Continue contacts with BIA and conduct appropriate investigation looking toward apprehension of subject.

AT LAKE ANDES, SOUTH DAKOTA

Continue contacts with Charles Mix County SO for any information regarding subject's whereabouts.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA Sioux Falls, South Dakota
1 - [REDACTED] Agency Special Officer
[REDACTED] Sankton Indian Reservation
Fort Thompson, South Dakota

Copy to:

Report of: WALTER P. J. QUIGLEY
Date: November 30, 1976

Office: Rapid City, South Dakota

Field Office File #: 70-99269

Bureau File #: 70-65273

Title:

[REDACTED]

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XXXXXXXXXX

Synopsis

[REDACTED] VICTIM;
[REDACTED] VICTIM;
[REDACTED] VICTIM;
[REDACTED] VICTIM;
[REDACTED] - VICTIM;
[REDACTED] VICTIM;
[REDACTED] JR. - VICTIM;
[REDACTED] - VICTIM;
[REDACTED] VICTIM

Character: CRIME ON INDIAN RESERVATION - ASSAULT WITH A
DANGEROUS WEAPON; BURGLARY; HARBORING

Synopsis: Contact with subjects [REDACTED]
Butler, Missouri, and [REDACTED]
Appleton City, Missouri, negative regarding subject's
whereabouts. Information received concerning
subject's presence in Wagner, South Dakota, area.
Investigation to locate subject in Wagner and
Lake Andes, South Dakota, areas set forth.

-P- ARMED AND DANGEROUS

DETAILS

By communication dated July 27, 1976, the Kansas City
Office of the FBI advised as follows:

Continuous contact has been maintained with the
Butler, Missouri, Police Department and the Missouri State

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Highway Patrol, Butler, Missouri, and periodic surveillance of [redacted] residence has been negative.

On July 20, 1976, [redacted]
[redacted] Sunset Drive, Butler, Missouri, was interviewed and furnished the following information:

[redacted] advised she is aware that [redacted]
[redacted] and was wanted by law enforcement authorities. She advised she has not seen nor heard from [redacted] since [redacted] and had no idea where he was but speculated that he was somewhere in South Dakota.

[redacted] advised that on the Fourth of July weekend that [redacted] brother, [redacted] also known as [redacted] wife, [redacted] her sister, [redacted] and [redacted] came to Butler from Wagner, South Dakota, to spend Fourth of July weekend with them. [redacted] stated that they drove to Butler in a Dodge Coronet and that [redacted] was not with them.

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According to [redacted] the family discussed [redacted] over the Fourth of July weekend but no one talked like they knew where he was. [redacted] stated that she and [redacted] who resides in Appleton City, Missouri, are close to [redacted] but doubted [redacted] would come see either of them because he would be afraid of causing problems for the [redacted] in the event of an arrest by law enforcement authorities.

[redacted] advised that [redacted] would probably not cooperate with the FBI and [redacted] stated that she would not turn [redacted] in but would try to talk him into turning himself in if she were to get in contact with him. Kansas City is conducting no further investigation at this time, however, will be alert to the possibility of subject's appearance in either Butler or Appleton City and will maintain contact with law enforcement officers in these cities.

On July 31, 1976, RUBEN HUBER, Sheriff, Charles Mix County, Lake Andes, South Dakota, telephonically contacted Special Agent (SA) WALTER P. J. QUIGLEY and advised that on the previous evening his office had received positive information that subject was in the vicinity of Lake Andes Housing and that he was traveling in one of two vehicles, a brown two tone (brown vinyl over

brown) 1970 Plymouth, South Dakota License [redacted] damaged on the right rear door rear end shackled up, which belonged to one of the [redacted] with whom [redacted] has stayed previously. The second vehicle was described as a late model black Ford van with orange mural type painting on the sides and three rectangular windows in the rear which bore North Dakota License [redacted]

Sheriff HUBER responded with his Deputy [redacted] and South Dakota Highway Patrolman [redacted]. They spotted the [redacted] Plymouth, it took off and they lost it following a chase. They determined the following day that [redacted] was in the car but that one of the [redacted] had let him out when they lost the pursuing police and [redacted] ran off into a corn field.

Sheriff HUBER continued that he has recently obtained a warrant on [redacted] a cousin of [redacted] and that on July 31, 1976, [redacted] who is trying to make the best deal he can with HUBER, told him that [redacted] was a participant in a burglary in Wagner about [redacted] (a State case) in which a [redacted] stolen. [redacted] further told him that at least [redacted] had been taken by [redacted] south of Wagner. As far as [redacted] knows, the [redacted] are still at [redacted] house.

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HUBER requested assistance since he indicated he believed [redacted] was still in the area, he had a list of autos of [redacted] friends with whom he has been known to be riding recently and his belief that the subject would be located in Indian housing at either Lake Andes or Wagner on the night of July 31, 1976, or early morning of August 1, 1976.

Spot checks and fisur of logical locations by Bureau Agents to locate subject were unsuccessful during late night of July 31, 1976, and early morning of August 1, 1976.

South Dakota Highway Patrolman [redacted] furnished the following list of autos in which he indicated the subject has been seen during the past two weeks or his sources speculate would be logical vehicles to look for him in:

[redacted] four-door blue Ford, [redacted]
[redacted] 1963 two-door blue Rambler, [redacted]
[redacted] 1968 Mercury Cougar, maroon/black, [redacted]
[redacted] 1966 Plymouth, four-door, grey, [redacted]
[redacted] 1968 Buick Riviera, green, [redacted]
[redacted] 1970 Plymouth Fury, four-door hard top, [redacted]
[redacted] 1970 Brown Plymouth, dark brown vinyl
over brown, damage to right rear door,
rear end shackled up, [redacted]
[redacted] black Ford van, orange murals on sides.
(North Dakota) three rectangular windows in rear, [redacted]
Wagner Housing.

Sheriff HUBER continued that [redacted] has
told him that he intends to actively attempt to locate
[redacted] and advise him and HUBER indicated he would continue
to keep SA QUIGLEY apprised of any positive information.

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By communication dated August 5, 1976, the
Kansas City Office of the FBI advised:

[redacted] husband of subject's [redacted]
[redacted] telephonically contacted SA [redacted]
July 27, 1976, from Appleton City, Missouri. [redacted]
stated he returned home after going to a movie and found
that all of his furniture, personal belongings of [redacted]
and his .22 caliber revolver were missing. He found a
note which stated [redacted] Go home. I am gone for good.
[redacted]

[redacted] advised that [redacted] had recently been
drinking and started talking about her brother, [redacted]
and during that occasion made some comment that she would
be willing to travel to a new city, sell all of her belongings
and assume a new identity if she could help the subject.

[redacted] was requested to keep SA [redacted] advised
if he found his wife or subject and to advise the Kansas City
Division of his whereabouts.

On July 29, 1976, contact with [redacted]
[redacted] employer, Appleton City, advised [redacted] departed
for either Iowa or South Dakota in an attempt to locate
his wife and had no idea if he would return or not.

[redacted] told SA [redacted] that he would probably kill the subject if he found him and determined that he caused his marriage to break up.

The following investigation was conducted in the vicinity of Lake Andes and Wagner, South Dakota, by SAs WALTER P. J. QUIGLEY and [redacted] on the dates indicated:

On August 26, 1976, September 10, and September 27, 1976, contacts with Sheriff RUBEN HUBER, Charles Mix County, Lake Andes, South Dakota, and Detective [redacted] [redacted] Bureau of Indian Affairs (BIA), Wagner, South Dakota, determined that [redacted] definitely remained in the Wagner area and was being hidden and supported by most of the local population. Both the Sheriff and Detective [redacted] advised they were in daily contact with their numerous contacts in the area and would continue attempts to locate him.

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On October 12, 1976, Detective [redacted] advised that he had received an anonymous call from an individual who advised that [redacted] was running with [redacted] an individual being sought on state charges, and that the two were staying on the [redacted] place south of Dante, South Dakota, and if not located there he could most probably be found at either [redacted] near Wagner or his father's, [redacted] near Greenwood, South Dakota.

On October 12, 1976, Bureau Agents assisted by BIA personnel and Charles Mix County Sheriff's Deputies, conducted extensive surveillances and searches of the aforementioned locations. The subject was not located, however, it was apparent that individuals probably identical to [redacted] and [redacted] had been sleeping in abandoned wrecked cars on the [redacted] place. Observations at [redacted] residence determined the presence therein of baby clothes and stereo tapes of the rock and roll variety and it was thereupon noted by Detective [redacted] that he had learned that [redacted] had been living with one of the [redacted] of Wagner and had a baby by her. From the available information and observations, it was speculated that [redacted] had, in fact, been staying at [redacted] and his father's during the period immediately preceding October 12, 1976.

RC 70-9926

Contacts have been maintained with Sheriff HUBER and Detective [REDACTED] the most recent being on November 19, 1976. Both continue to advise that [REDACTED] is definitely in the Wagner - Marty - Lake Andes area of South Dakota as they continue to receive reports to that effect.

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MINNEAPOLIS (70-11609) *Pic*

DATE: 10/21/76

FROM : SA [REDACTED]

SUBJECT: [REDACTED] aka

RUSSELL MEANS - VICTIM;
[REDACTED] - VICTIM;
CIR - ASSAULT WITH INTENT TO KILL

b6
b7C

OO: Minneapolis

From approximately 5:10 p.m. until 6:04 p.m. on October 7, 1976, Special Agent [REDACTED] maintained custody of the following evidence while being displayed by Assistant United States Attorney RICHARD D. HURD, District of South Dakota, to the defendant's attorneys:

- ✓(1) One holster and five rounds of .38 special ammunition; ✓
- (2) Three .25 caliber bullets; ✓
- ✓(3) Two .22 caliber bullets; ✓
- ✓(4) One .30 caliber magazine clip with 15 rounds of thirty carbine bullets; ✓
- ✓(5) Six thirty carbine bullets; ✓
- ✓(6) Two .30 caliber clips, taped together, one containing thirteen rounds and one containing fifteen rounds of various .30 caliber bullets; ✓
- ✓(7) One package containing following:
Two dimes, three pennies, one tobacco pouch, nine S & W .38 caliber cartridges, one .38 caliber Winchester cartridge, sixty-three .22 caliber long rifle cartridges, eleven .22 caliber long cartridges; ✓
- ✓(8) One package of latent prints; ✓
- ✓(9) One revolver, 38 caliber, INA, SN [REDACTED]; ✓
- ✓(10) One carbine, .30 caliber, National Ordnance, Incorporated, SN [REDACTED]; ✓
- ✓(11) One revolver, .22 caliber, Sentinel Deluxe High Standard, SN [REDACTED]; ✓
- ✓(12) One rifle, .22 caliber, Ithaca, SN [REDACTED]; ✓
- ✓(13) One projectile, marked Q2; ✓

6 - Minneapolis
(2 - ASAC, Rapid City)
(1 - Package Copy, Rapid City)
(1 - Package Copy, Pierre)

REB:cacf

(6)



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

70-11609-118

SEARCHED	INDEXED
SERIALIZED <i>mk</i>	FILED
OCT 21 1976	
FBI - MINNEAPOLIS	

Schroeder

MP 70-11609

- ✓(14) One shirt containing blood; "
- ✓(15) One projectile, marked Q3; "
- ✓(16) One expended round, .22 caliber, marked Q4; ✓
- ✓(17) One projectile, marked Q1. ✓

The following attorneys were present:

[REDACTED] arrived at 5:10 p.m.;
[REDACTED] arrived at 5:16 p.m.;
and [REDACTED] arrived at 5:20 p.m.

b6
b7c

Mr. HURD asked the evidence be held in Sioux Falls, South Dakota, for approximately two weeks.

Items 1 through 8 were received from the Pierre, South Dakota, Resident Agency, on October 7, 1976 and were returned to same on October 21, 1976. ✓

Items 9 through 17 were received from the Rapid City, South Dakota, Resident Agency, on October 5, 1976 and were returned to same on October 21, 1976. ✓

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RAPID CITY	OFFICE OF ORIGIN RAPID CITY (MINNEAPOLIS)	DATE 9/20/76	INVESTIGATIVE PERIOD 5/5/76 - 9/10/76
TITLE OF CASE [REDACTED] FUGITIVE ET AL. RUSSELL MEANS - VICTIM [REDACTED] - VICTIM		REPORT MADE BY WILLIAM R. SCHROEDER	TYPED BY arw
		CHARACTER OF CASE CIR - ASSAULT WITH INTENT TO KILL; JDA; UNLAWFUL POSSESSION OF PISTOL BY A FELON; USE OF FIREARM IN COMMISSION OF A FELONY; ADW; ACCESSORY AFTER THE FACT	

b6
b7cREFERENCES

Rapid City report of SA WILLIAM R. SCHROEDER 7/21/76;
Omaha letter to Rapid City 7/23/76;
Kansas City airtel to Rapid City 7/27/76.

-P-

ADMINISTRATIVE

Investigative period overlaps date of last report,
however, this was done to include investigation from auxiliary
office.

(X)

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
2 - Bureau (70-68145)								
1 - USA, Sioux Falls, South Dakota								
1 - ASO, BIA, Fort Thompson, South Dakota								
3 - Rapid City (70-11609) (1 - 70-9926) <i>arw</i>						198-518-		
						70-11609-117		
Dissemination Record of Attached Report						Notations		
Agency						Searched <u> </u>		
Request Recd.						Serialized <u> </u>		
Date Fwd.						Indexed <u> </u>		
How Fwd.						Filed <u> </u>		
By						Schroeder <u> </u>		

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA Sioux Falls, South Dakota
1 - [REDACTED] Agency Special Officer
Crow Creek Indian Reservation
Fort Thompson, South Dakota

Copy to:

Report of: WILLIAM R. SCHROEDER
Date: September 20, 1976

Office: Rapid City, South Dakota

Field Office File #: 70-11609

Bureau File #: 70-68145

Title:

[REDACTED]
ET AL.
RUSSELL MEANS - VICTIM
[REDACTED] - VICTIM

b6
b7C

Character:

CRIME ON INDIAN RESERVATION - ASSAULT WITH INTENT TO KILL;
JUVENILE DELINQUENCY ACT; UNLAWFUL POSSESSION OF PISTOL
BY A FELON; USE OF FIREARM IN COMMISSION OF A FELONY;
ASSAULT WITH A DANGEROUS WEAPON; ACCESSORY AFTER THE FACT

~~Synopsis~~

Synopsis:

Iowa Bureau of Criminal Investigation Criminalistics Laboratory report containing Neutron Activation analysis test which indicate hands of [REDACTED] and [REDACTED] had a higher concentration of antimony and bismuth than the other three tested on 5/5/76 at Sioux City, Iowa. Indictments returned 7/29/76 by FGJ, Sioux Falls, South Dakota, charging [REDACTED] and [REDACTED] with violation of the following: Title 18, USC, Sections 1153 and 113(a) (Assault with Intent to Kill); Title 18, USC, Sections 1152 and 13 and SDCL 23-7-3, (Unlawful Possession of a Pistol by a Felon); Title 18, USC, Section 924(c)(1), (Use of a Firearm in Commission of a Felony); Title 18, USC, Section 1153 and SDCL 22-18-11, (Assault with a Dangerous Weapon). Also indicted were [REDACTED] and [REDACTED] with violation of Title 18, USC, Section 3 (Accessory after the Fact) and Title 18, USC, Section 924(c)(2), (Unlawful Possession of a Pistol by a Felon). Warrants were requested on all four and on 8/13/76 [REDACTED] was arraigned in Sioux Falls at which time he plead not guilty. A \$25,000 bond set at 10%. [REDACTED] arraigned on 8/13/76 and plead not guilty. Bond set at \$1,000 personal recognizance. [REDACTED] arraigned on 8/13/76 and plead not guilty. Bond set at \$1,000 at 10%. Warrant issued for [REDACTED] with bond recommended at \$50,000 cash or surety. No trial date set. ARMED AND DANGEROUS.

-P-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

RC 70-11609

DETAILS

Included in this report are copies of reports from Lieutenant [redacted] Sioux City, Iowa, Police Department concerning the administration of the Neutron Activation Analysis Test and the Iowa Bureau of Criminal Investigation Laboratory report of Analyst [redacted] Iowa Bureau of Criminal Investigation which indicate higher concentrations of antimony and borium on the swabs taken from [redacted] and [redacted]

b6
b7C

DATE 5-5-76

SERIAL NO 13926 W

Identification Bureau

POLICE DEPARTMENT
SIOUX CITY, IOWA

OFFENSE
Shooting
Investigative

COMPLAINANT FBI

ADDRESS HUNTER Wagner S. Dak.

In response to a request from local FBI agents; I was directed to the mug and print room of the Jail section of the Sioux City Police Department where I applied an application known as the Neutron Activation Analysis Test; to the below listed five (5) suspects lodged in our jail, and re said specimens until May 6, 1976 when I was directed to forward same to the BCI Laboratory for analysis.

The tests conducted involved the swabbing of the palms and backs of the suspects' hands with 5% nitric acid solution.

#1

#2,

#3,

#4,

#5,

aka

All suspects were asked one question by Me "When did you last wash Hands?"

Responses as follows;

#1 and #2 stated early AM 5-5-76

#3 stated at gas station (in squad car)

#4 and #5 responded not since yesterday.

SIGNATURE

DATE 5-6-76

b6
b7C

p9

Laboratory Case No. L75-3093

Official Report of:

PLEASE USE THE LABORATORY CASE NUMBER IN ALL INQUIRIES TO THE LABORATORY

Iowa Bureau of Criminal Investigation
Criminalistics Laboratory
E. 7th & Court, 2nd Floor
Des Moines, Iowa 50319
(515) 281-3666

Date May 20, 1976

Chapter 749A - Code of Iowa 1971

STATE CRIMINALISTICS LABORATORY AND MEDICAL EXAMINER

Section 749A-2 presumption of Qualification - Acceptance in evidence. It shall be presumed that any employee or technician of the criminalistics laboratory is qualified or possesses the required expertise to accomplish any analysis, comparison, or identification done by him in the course of his employment in the criminalistics laboratory. Any report, or copy thereof, or the findings of the criminalistics laboratory shall be received in evidence in any court, preliminary hearing, and grand jury proceeding in the same manner and with the same force and effect as if the employee or technician of the criminalistics laboratory who accomplished the requested analysis, comparison, or identification had testified in person. An accused person or his attorney may request that such employee or technician testify in person at a criminal trial on behalf of the state before a jury or to the court, by notifying the proper county attorney at least ten days before the date of such criminal trial.

Case Name RUSSELL MEANS- [REDACTED] (V):[REDACTED] ak: [REDACTED] (S):[REDACTED] (S): SHOOTING INVESTIGATION.LABORATORY
DESIGNATION
OF EXHIBITS

REPORT OF LABORATORY ANALYSIS

Criminalist

A

The cotton swabs identified as being taken from the right palm, right back, left palm, and left back of the hands of [REDACTED] (Item A) were determined to contain barium and antimony. The control swab was negative for the presence of barium and antimony.

B

The cotton swabs identified as being taken from the right palm, right back, left palm, and left back of the hands of [REDACTED] (Item B) were determined to contain barium and antimony. The control swab was negative for the presence of barium and antimony.

C

The cotton swabs identified as being taken from the right palm, right back, left palm, and left back of the hands of [REDACTED] (Item C) were determined to contain barium and antimony. The control swab was negative for the presence of barium and antimony.

D

The cotton swabs identified as being taken from the right palm, right back, left palm, and left back of the hands of [REDACTED] (Item D) were determined to contain barium and antimony. The control swab was negative for the presence of barium and antimony.

E

The cotton swabs identified as being taken from the right palm, right back, left palm, and left back of the hands of [REDACTED] (Item E) were determined to contain barium and antimony. The control swab was negative for the presence of barium and antimony.

C & D

The set of swabs taken from [REDACTED] and the set of swabs from [REDACTED] demonstrated higher concentrations of antimony and barium than the swabs from [REDACTED]

Note:

DISTRIBUTION:
White - Laboratory
Yellow - Submitting Agency
Green (2) - (County attorney, Defense, courts, grand jury, etc.)
Pink - DNOE, SCI

Laboratory

Receipt for Exhibits

LABORATORY CASE NO. 175-2093

Bureau of Criminal Investigation/Criminalistics Laboratory
Iowa Department of Public Safety

Page No. 2 of 2

Received from Registered Mail #2301

Agency Case No. 133261

BCI Case No. _____

Sioux City Police Department for FBI

May 7, 1976

11:30

A.M.
P.M.
XXX

LABORATORY DESIGNATION OF EXHIBITS	QUANTITY	DESCRIPTION	AGENCY DESIGNATION OF EXHIBITS
A	1	Kit containing 5 swabs from [redacted]	A1
B	1	Kit containing 5 swabs from [redacted]	A2
C	1	Kit containing 5 swabs from [redacted] aka [redacted]	A3
D	1	Kit containing 5 swabs from [redacted]	A4
E	1	Kit containing 5 swabs from [redacted]	A5

Exhibits received by [redacted] Criminalist

Examined by [redacted] Criminalist

Exhibits _____ returned to:

SIGNATURE

DATE

RELEASED BY

CPB-1361 12/73

b6
b7C

RC 70-11609

Incorporated are the following Sioux City,
Iowa, Police Department supplementary reports signed
by Sergeants [redacted] and [redacted] of the
Sioux City Police Department concerning the arrests of
individuals [redacted]

[redacted] and

[redacted]

b6
b7C

SUPPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 13925W

OFFENSE FOREIGN SHOOTING

COMPLAINANT

ADDRESS

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC

Dictator: SGT. [REDACTED] 1630 5-5-76 [REDACTED]

Transcribed: 9:15 A.M. 5-6-76

Information received at roll call from CAPTAIN [REDACTED] that a shooting and personal injury took place in WAGNER, SOUTH DAKOTA. Description of several vehicles involved, and names of four INDIAN MALES, suspects were possibly headed towards SIOUX CITY to [REDACTED]

A check was made of this address 9:39 A.M. 5-5-76.

A green Ford License South Dakota [REDACTED] was parked in front of this [REDACTED]. A check of this license disclosed it belonged to a 1965 white Pontiac registered to [REDACTED] JEFFERSON, SOUTH DAKOTA.

I was advised that LT. [REDACTED] SGT. [REDACTED] FBI AGENTS [REDACTED] AND [REDACTED] were on their way to this location.

I positioned myself in the parking lot southeast corner of 14th Cook, where I could observe the house and Ford vehicle.

As I was watching this house, OFFICER [REDACTED] joined me and we continued our surveillance.

At approximately 10:40 A.M. 5-5-76 a white Dodge with several INDIANS drove past our location, heading north on Cook Street.

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST [REDACTED]

SIGNED [REDACTED]

DATE 5-5-76

EXCEPTIONALLY
CLEARED [REDACTED]

INVESTIGATING OFFICER

UNFOUNDED [REDACTED]

SIGNED [REDACTED]

DATE

INACTIVE [REDACTED]

CHIEF OR COMMANDING OFFICER

b6
b7C

SUPPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 132267

OFFENSE

COMPLAINANT

ADDRESS

PAGE 2

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

The car proceeded north on Cook Street to 15th, made a "U" turn and headed south and parked in the 1400 Block Cook.

Two of the occupants got out of the car, and entered [REDACTED] [REDACTED] They were in the house five minutes, then they came out and went to the white Dodge, one going to the rear, opening the trunk, and the other opening the passenger side, door of the car. Then they went back into the house, and the white Dodge started to leave the area.

Radio contact was made with LT. [REDACTED] AND SGT. [REDACTED] that this car with three male subjects was headed south on Cook Street.

Car was intercepted in the 800 Block Cook by Lt. [REDACTED] Sgt. [REDACTED] and FBI crew. The three subjects were removed to the station by SGT. [REDACTED] and OFFICER [REDACTED], who arrived at the scene.

[REDACTED] and I were instructed to go to [REDACTED] with the FBI crew and LT. [REDACTED] AND [REDACTED] We arrived there at 10:55 A.M. where we made ourselves known, and what we wanted.

We talked to two Indian female [REDACTED] DOB: [REDACTED]
SS NO. [REDACTED] and [REDACTED] DOB: [REDACTED]
SS NO. [REDACTED] They stated they were the [REDACTED] of [REDACTED]

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST ☐

EXCEPTIONALLY
CLEARED ☐

UNFOUNDED ☐

INACTIVE ☐

SIGN [REDACTED] DATE 5-5-75
INVESTIGATING OFFICER

SIGNED [REDACTED] DATE [REDACTED]
CHIEF OR COMMANDING OFFICER

b6
b7C

SUPPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 139237

OFFENSE

COMPLAINANT

PAGE 3

ADDRESS

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

this home

A subject who was in the kitchen was notified by FBI that he was wanted for questioning, and was asked if anyone else was in the house or upstairs. He said "no, just his dog".

I started to go upstairs as did and called out to us that he learned there were some men upstairs.

AND I entered a west bathroom and observed three male Indians lying in bed. We identified ourselves and ordered all three to stand up and put their hands behind their head, which they did. All three were removed to main floor.

I observed a weapon which appeared to be a rifle laying along side of one of the beds, and a revolver and holster sticking out from between the mattress and box spring. These weapons were removed, and check disclosed both were loaded. The rifle was M-1 30 caliber and the revolver a five shot 38 caliber. These weapons were then unloaded.

All four male subjects were removed to the station and booked for the FBI.

A personal check of each subject's pants pockets revealed several rounds of 38 caliber, 39 caliber and 22 caliber ammunition.

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST

SIGNED

DATE 5-5-

INVESTIGATING OFFICER

EXCEPTIONALLY
CLEARED

UNFOUNDED

SIGNED

DATE

CHIEF OR COMMANDING OFFICER

INACTIVE

b6
b7C

SUPPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 13926W

OFFENSE

COMPLAINANT

ADDRESS

PAGE 4

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC

These items, along with the weapons were properly inventoried and processed by the I.D. Bureau.

NCIC check on all persons arrested was made, and negative results.

A further check on the weapons, and ammunition was to be made by the FBI.

See attached list of persons arrested.

HUMMEL:JW

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST ☐

EXCEPTIONALLY CLEARED ☐

UNFOUNDED ☐

INACTIVE ☐

SIGN

INVESTIGATING OFFICER

SIGNED

CHIEF OR COMMANDING OFFICER

5-5-75
DATE

b6
b7C

COMPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 13926W

OFFENSE _____

COMPLAINANT _____

ADDRESS _____

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

Dictator: SGT. [REDACTED] 11:30 A.M. 5-19-76
Transcribed: 1:00 P.M. 5-19-76

✓ On 5-5-76 was advised of a wanted reference the shooting of
MEANS, from South Dakota.

Wanted was [REDACTED]
[REDACTED]

There were numerous vehicle descriptions given to us.

Also advised of the possibility they could be hanging around

at [REDACTED] residence of [REDACTED] and [REDACTED]

Sgt. [REDACTED] set up stake out at this residence.

Lt. [REDACTED] and I went to the FBI office and got the two FBI
agents [REDACTED] and [REDACTED]

On the way to [REDACTED] SGT. [REDACTED] advised that the Indians
arrived in a vehicle with SOUTH DAKOTA plates, were starting
to pull away.

I headed this vehicle off on Cook Street, 9th Cook. WE

arrested: [REDACTED] Arrest No. [REDACTED]

Arrest No. [REDACTED] Arrest No. [REDACTED]

We learned the other individuals were still at the residence

at [REDACTED] They had been seen carrying in a rifle and

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST ☒

EXCEPTIONALLY
CLEARED ☐

UNFOUNDED ☐

INACTIVE ☐

SIGN [REDACTED] DATE 5-19-76

INVESTIGATING OFFICER

SIGNED [REDACTED] DATE 5/20/76

CHIEF OR COMMANDING OFFICER

POLICE - 4

b6
b7C

SUPPLEMENTARY REPORT
POLICE DEPARTMENT

SERIAL # 13926W

OFFENSE _____
COMPLAINANT _____
ADDRESS _____

PAGE 2

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

revolver into the house and other items unknown.

They had taken them out of the trunk of the car when they pulled up, according to Sgt. [REDACTED]

To avoid repetition of what happened in the house, and the arrest of all these individuals, I'll shorten mine up to one particular individual. There were four people arrested in this house at [REDACTED] Arrest No. [REDACTED]

[REDACTED] Arrest No. [REDACTED] Jr. Arrest No. [REDACTED]

and a person who gave his name as [REDACTED] Arrest No

[REDACTED] real name [REDACTED]

I marched three of these persons from upstairs to downstairs one at a time. I searched one of the individuals, pat down searched for any dangerous weapons.

On [REDACTED] real name [REDACTED] I took 30 caliber ammunition out of his right front pocket. There was a 30 caliber carbine found upstairs as well as a 38 or revolver fully loaded.

There were two full clips in the 30 caliber carbine.

These persons were escorted to the Sioux City Police Department and booked, held for FBI.

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST ☒

EXCEPTIONALLY
CLEARED ☐

UNFOUNDED ☐

INACTIVE ☐

SIGNED

INVESTIGATING OFFICER

SIGNED

CHIEF OR COMMANDING OFFICER

DATE 5-19-76

DATE 5/2/76

POLICE - 4

b6
b7C

By letter dated July 30, 1976, United States Attorney WILLIAM F. CLAYTON, District of South Dakota, Sioux Falls, South Dakota, advised that indictments were returned by the Federal Grand Jury, Sioux Falls, against [redacted] and [redacted] charging them with violation of Title 18, U. S. Code, Sections 1153 and 113(a), (Assault with Intent to Kill); Title 18, U. S. Code, Sections 1152 and 13 and South Dakota Compiled Laws (SDCL) 23-7-3, (Unlawful Possession of a Pistol by a Felon); Title 18, U. S. Code, Section 924(c)(1), (Use of a Firearm in Commission of a Felony); and Title 18, U. S. Code, Section 1153 and SDCL 22-18-11 (Assault with a Dangerous Weapon.)

b6
b7C

Indictments were filed on July 29, 1976 by Federal Grand Jury, Sioux Falls, against [redacted] and [redacted] charging them with violation of Title 18, U. S. Code, Section 3 (Accessory After the Fact); Title 18, U. S. Code, Section 924(c)(2), (Unlawful Possession of a Pistol by a Felon).

Warrants were requested on [redacted] and [redacted] on July 30, 1976. Bond was recommended for [redacted] at \$50,000 cash or surety.

No trial date has as yet been set concerning these individuals.

On [redacted] [redacted] was arraigned in Sioux Falls before United States Magistrate DAVID VROOMAN at which time he plead not guilty and bond was set at \$25,000 at 10%.

[redacted] was arraigned on [redacted] before U. S. Magistrate VROOMAN, Sioux Falls, at which time he plead not guilty. Bond was set at \$1,000 Personal Recognizance.

[redacted] was arraigned before U. S. Magistrate VROOMAN, Sioux Falls, at which time he plead not guilty and bond was set at \$1,000 at 10%.

On September 10, 1976, United States Attorney WILLIAM F. CLAYTON advised that as yet no trial date has been set in this matter.

RECORD OF INFORMATION FURNISHED OTHER AGENCIES

Orally _____ date _____ By Telephone _____ date _____

Written Communication 9/20/76
date

Information concerning:

*ET A1
Russell Means - Victim*

Information furnished from File, Serial, and Page Number:

*70-11609*b6
b7C

Information furnished was obtained:

☒ during course of Bureau investigation☐ from informants☐ from complainants or other sources

Information furnished to:

*ASO, BIA, Ft. Thompson, S.W.*Number of items disseminated: 1

Remarks:

*report showing investigation to date
along with results of Grand Jury, arrangements
and bonds set.**William F. Schwed*
Special Agent

198-518-
70-11609-116

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
SEP 25 1976	
FBI - MINNEAPOLIS	

70-11609

260 Federal Building
515 Ninth Street
Rapid City, South Dakota 57701

September 13, 1976

Honorable William F. Clayton
United States Attorney
Federal Building
Sioux Falls, South Dakota 57102

RE:

[REDACTED]
ET AL;
RUSSELL MEANS - VICTIM
[REDACTED] - VICTIM
CRIME ON INDIAN RESERVATION
ASSAULT WITH INTENT TO KILL;
JDA

b6
b7C

Dear Mr. Clayton:

This letter is being sent in order to reply to your request by letter dated September 7, 1976 concerning the photographs taken by Agent [REDACTED], Department of Criminal Investigation, State of South Dakota.

Enclosed are seven copies of each of the photographs taken by Agent [REDACTED] as you requested.

Sincerely yours,

NORMAN A. ZIGROSSI
Assistant Special Agent in Charge

198-518-
70-11609-115
Searched
Serialized
Indexed
Filed

Schroeder S

MW.SDFBIRCOO.NAM [REDACTED] NIC [REDACTED]
MIS/2 COUNTS ADW BREAKING AND ENTERING BOND 2,500 CASH OR SURETY
ALSO WANTED 70-11609 ASSAULT INTENT TO KILL
SDFBIRCOO
MODIFY NAM [REDACTED] NIC [REDACTED]

b6
b7C

NCIC MODIFIED 8-10-76 *md*

198-518-
~~70-11609-114~~

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 1976	
FBI - L	
Schroeder	

Director, FBI

Att: Special Investigative Division

8/9/76

ASAC, RAPID CITY (70-11609)

☐ Initial Submission☒ Supplements FD-65 dated 6/29/76☐ Photograph not needed (70-9926)

[REDACTED] GITIVE;

aka;

Indicate following:

☐ Extremist (Black)☐ Extremist (White)☐ Rev. Act.☐ Other Security background☒ None of these

RUSSELL MEANS - VICTIM

[REDACTED] - VICTIM; CIR-ADW; JDA

Caution	<input checked="" type="checkbox"/>	MRE	Name	[REDACTED]	NAM	Sex	SEX	Race	RAC	
						M		Ind.		
Place of Birth	Wagner, South Dakota				POB	Birth Date	DOB	Height	HGT	
								5'6"	132	
Eye Color	EYE	Hair Color	HAI	FBI No.	FBI	Skin Tone	SKN			
	Brown	Black				Dark				
Scars, Marks, Tattoos, etc.	[REDACTED]								MT	
NCIC Fingerprint Classification	[REDACTED]				Other Identifying Number	[REDACTED]				
Operator's License Number	OLN	Operator's License State	OLS	Year Expire	OLY					
Offense Charged OFF <u>Assault with Intent to Kill</u>										
U. S. Code, Title and Section <u>18 USC Sections 1153 and 113 (a)</u>										
Warrant Issued By <u>U.S. Clerk of Court, Sioux Falls, SD 7/30/76</u>						DOW	F. O. File #	OCA		
							70-11609			
Date PBV or Bond Default Case Referred to Office _____										
Miscellaneous Including Bond Recommended					MIS	Fingerprint Classification (Henry System)				
<u>ARMED AND DANGEROUS</u> <u>\$50,000 cash or surety.</u>										

LICENSE PLATE AND VEHICLE INFORMATION

Licensed Plate Number	LIC	State	LIS	Year Expires	LIY	Lit	License Plate Type	LIT
Vehicle Identification #	VIN	Year	VYR	Make	VMA	Model	VMO	Style
VST	Color	VCO						
Aliases	[REDACTED]				Additional Identifiers			
<input checked="" type="checkbox"/> MODIFY	<u>8-10-76 smd</u>				Supplemental entry on additional indictment. Not identical to offenses charged in 70-9926.			
<input type="checkbox"/> LOCATE								
<input type="checkbox"/> CANCEL								
NCIC #	[REDACTED]				Searched			
					Serialized <u>smd</u>			
					Indexed			
					Filed <u>smd</u>			

1 - Bureau

2 - Rapid City

FC:dl (3)

70-11609
(1-70-9926) C70-11609-113
198-518-113b6
b7C

198-518-
~~70-11609-112~~

SEARCHED	INDEXED
SERIALIZED <i>md</i>	FILED <i>md</i>
AUG 7 1976	
FBI - MINNEAPOLIS	

Schroeder

United States Department of Justice

UNITED STATES ATTORNEY

DISTRICT OF SOUTH DAKOTA

SIoux FALLS, SOUTH DAKOTA 57102

July 30, 1976

Mr. William A. Meincke
Special Agent in Charge
Federal Bureau of Investigation
392 Federal Building
110 South Fourth Street
Minneapolis, Minnesota 55401

Dear Mr. Meincke:

This is to advise that true bills were returned on the following Northern and Southern Division cases presented to the Grand Jury in Sioux Falls.

[REDACTED] - Our Cr. 76-0695; CR 76-4035-1 (Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$10,000 cash or surety
Field Office File #26-27868

b6
b7c

[REDACTED] - Our Cr. 76-0690; CR 76-4037-1 (Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$25,000 cash or surety

[REDACTED] - Our Cr. 76-0696; CR 76-1025-1
(Northern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$10,000 cash or surety
Field Office File #87-24400

[REDACTED] Our Cr. 76-0684; CR 76-1027-1 (Northern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$1500 - 10%

[REDACTED] Sr. - Our Cr. 76-0689; CR 76-1024-1
(Northern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$2500 - 10%

88

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 30 1976	
FBI - MINNEAPOLIS	



Mr. William A. Meincke

-2-

July 30, 1976

[redacted] - Our Cr. 76-0492; CR 76-4036-1 (Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$25,000 - 10%
Field Office File #70-11609

b6
b7c

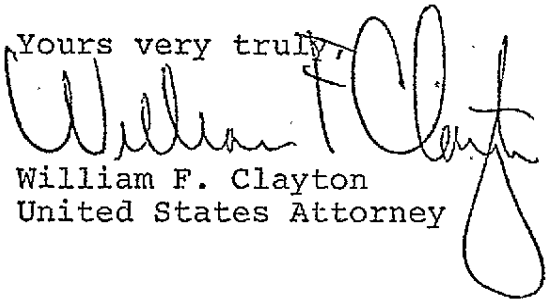
[redacted] - Our Cr. 76-0492; CR 76-4036-1 (Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$50,000 cash or surety
Field Office File #70-11609

[redacted] Our Cr. 76-0492; CR 76-4036-1 (Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$1000 P.R.
Field Office File #70-11609

[redacted] Our Cr. 76-0492; CR 76-4036-1
(Southern)
7/29/76 - Indictment filed
7/30/76 - Warrant requested
Bond - \$1000 - 10%
Field Office File #70-11609

We are enclosing copies of the Indictments for your information.

Yours very truly,


William F. Clayton
United States Attorney

er

cc: FBI, Aberdeen
FBI, Pierre
FBI, Sioux Falls

.22-18-11, knowingly and willfully relieved, received, comforted and assisted the said [redacted] in order to hinder and prevent his apprehension, trial and punishment, in violation of 18 U.S.C. §3.

COUNT IV

On or about the 5th day of May, 1976, in Indian country, at the Wagner Housing Area, in the District of South Dakota, [redacted] and [redacted] Indians, having been convicted of a crime of violence, did unlawfully possess and have under their control a pistol, to-wit: a .22 caliber high standard revolver with a six-inch barrel, Serial Number 2390880, in violation of 18 U.S.C. §1152, §13 and S.D.C.L. §23-7-3.

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b7C

COUNT V

On or about the 5th day of May, 1976, in the District of South Dakota, [redacted] and [redacted] did use a firearm, that is, a pistol and a rifle, to commit the offenses of assault with intent to kill, and assault with a dangerous weapon, felonies, prosecutable in a court of the United States, in violation of 18 U.S.C. §924(c)(1).

COUNT VI

On or about the 5th day of May, 1976, in the District of South Dakota, [redacted] and [redacted] did unlawfully carry firearms, that is a pistol and rifle, during their commission of the offense of accessory after the fact, a felony prosecutable in a court of the United States, in violation of 18 U.S.C. §924(c)(2).

COUNT VII

On or about the 5th day of May, 1976, in the District of South Dakota, in Indian country, at the Wagner Housing Area, [redacted] and [redacted] Indians, without justifiable or excusable cause did willfully, knowingly and unlawfully assault the occupants of a certain White Pontiac Station Wagon, with a dangerous weapon, that is, a

firearm, with intent to do bodily harm to the occupants of said station wagon, in violation of 18 U.S.C. §1153 and S.D.C.L. §22-18-11.

A TRUE BILL:



WILLIAM F. CLAYTON
United States Attorney

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b7C

198-518-
78-116,07-111

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
AUG 11 1976	
FBI - MINNEAPOLIS	

[Handwritten signature]

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

United States of America,

CR 70-

Plaintiff

vs.

Mike Livingston 70-11609

- 2960

70-10748

Defendants

INDICTMENT

(18 U.S.C. §1153 & §113(a)
18 U.S.C. §3;
18 U.S.C. §1152, §13 and
S.D.C.L. §23-7-3; 18 U.S.C.
§924(c) (1); 18 U.S.C.
§1153 and S.D.C.L. §22-18-11)

Assault w/intent to kill;
Accessory After the Fact;
Unlawful possession of
pistol by a felon; Use of a
Firearm in Commission of a
Felony; Assault w/dangerous
Weapon

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The Grand Jury Charges:

COUNT I

On or about the 5th day of May, 1976, in the District of
South Dakota, in Indian country, to-wit: at the Wagner Housing
Area, [redacted] and [redacted] Indians, did
willfully, knowingly and unlawfully [redacted] Russell Means with
[redacted] the said Russell Means [redacted]
in violation of 18 U.S.C. §1153 and §113(a).

COUNT II

On or about the 5th day of May, 1976, in the District of
South Dakota, in Indian country, to-wit: at the Wagner Housing
Area, [redacted] and [redacted] Indians, did
willfully, knowingly and unlawfully [redacted]
[redacted] the said [redacted]
in violation of 18 U.S.C. §1153 and §113(a).

COUNT III

On or about the 5th day of May, 1976, at Wagner, South
Dakota, and other places in the District of South Dakota,
[redacted] and [redacted] knowing
that [redacted] had committed the offenses of
[redacted] and [redacted] with a dangerous
weapon, in violation of Sections 1153 and 113(a) of Title 18,
United States Code, and South Dakota Compiled Laws, Section

UNITED STATES GOVERNMENT

Memorandum

TO :

SAC, RAPID CITY (70-11609)

DATE: 7/23/76

FROM :

SAC, OMAHA (70-1928) (RUC)

SUBJECT:



aka;

RUSSELL MEANS - VICTIM;



VICTIM

CIR - ADW; JDA

b6
b7C

OO: RAPID CITY (MINNEAPOLIS)

Re Omaha report of SA [redacted] [redacted] 5/11/76.

Enclosed for Rapid City are the following original FD-302s concerning interviews with the following individuals:

1. [redacted]
2. [redacted] JR.;
3. [redacted]
4. [redacted] and
5. Arrest of Subjects.

Also enclosed for Rapid City are copies of the Sioux City, Iowa, Police Report concerning this matter and the Iowa Bureau of Criminal Investigation Criminalistics Laboratory Report Number L76-3093, showing results of laboratory examination of cotton swabs obtained from sub-

② - Rapid City (Encl. 7)

1 - Omaha

[redacted] : dae

(3)



5010-108-02

198-5-18-
70-11609-110

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 29 1976	
FBI - MINNEAPOLIS	

Schroeder

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OM 70-1928

jects at time of their arrest by Lieutenant [REDACTED]
[REDACTED] Identification Bureau, Sioux City, Iowa,
Police Department.

ARMED AND DANGEROUS.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/11/76

[redacted] JR., [redacted] Street,
Sioux City, Iowa, was interviewed at the Sioux City, Iowa,
Police Station and furnished the following information:

He goes by the name [redacted] and lives at [redacted]
[redacted] Street with his cousin [redacted] her sister, [redacted]
[redacted] and his girlfriend, [redacted] No other adults
live at that residence. [redacted] works the night shift at
Iowa Beef Processors in Dakota City, Nebraska.

He had gotten off work at 6 a.m., May 5, 1976; and
after taking a fellow employee, [redacted] home, he drove
to his residence at [redacted] Street, arriving at approximately
6:30 a.m. Present in the house at that time were [redacted] and
[redacted] and [redacted] was scheduled to be at
work at Aair's Manufacturing at 7:30 a.m. so he drove her to
work and arrived back home about 7:40 a.m.

[redacted] immediately went upstairs to his bedroom
and went to sleep. At approximately 10:30 a.m. he was
awakened by [redacted] and [redacted]
all of whom he knew from Wagner, South Dakota. They said
they had come down from Wagner that morning to visit him.
These three individuals then went back downstairs.

[redacted] then got up and went downstairs to the
bathroom. While he was in the bathroom, he heard [redacted]
say he was going out for some beer. As he came out of the
bathroom, [redacted] saw his cousin [redacted] sitting in
the front room with the [redacted] and [redacted]. He also
observed a rifle lying on the front room floor.

At about this same time, he observed a blue police
car pull up in front of his house and some individuals get
out of it. [redacted] and [redacted] immediately
grabbed the rifle and ran upstairs. After a couple of
minutes, they were brought back downstairs by the officers who
were in the house.

Interviewed on 5/5/76 at Sioux City, Iowa File # OM 70-1928
by SA [redacted]
SA [redacted] Date dictated 5/7/76

198-578
AC-70-44604-109

OM 70-1928

[redacted] stated when he was first awakened, he had asked [redacted] about the shooting of RUSSELL MEANS earlier that morning. [redacted] stated they had all been at a big meeting last night in Wagner. He mentioned the meeting had been held to conduct a tribal election. [redacted] never mentioned anything about the shooting.

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[redacted] stated he never saw anyone in possession of a revolver but did state no weapons had been in the house prior to the arrival of the above individuals.

[redacted] furnished the following descriptive data:

Sex	Male
Race	Indian
Date of Birth	[redacted]
Place of Birth	[redacted], South Dakota
Height	5'4"
Weight	130
Hair	Black
Eyes	Brown

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/11/76

[redacted] Freeway
Trailer Court, South Sioux City, Nebraska, telephone number
[redacted] furnished the following information:

He is currently living with his sister, [redacted]
[redacted] at the Freeway Trailer Court in South Sioux
City, Nebraska, and is employed at Riggs BioChemical
Corporation, Sioux City, Iowa, where he was to begin work
on May 5, 1976, at noon.

He left home shortly before 10:30 a.m.,
May 5, 1976, to go to work and was hitchhiking north on
Dakota Avenue in South Sioux City near the Old Home Bakery
when he noticed an older model white car with five individuals
in it go past him towards Sioux City. The car did not stop,
but a couple of minutes later he noticed this same vehicle
heading back south on Dakota Avenue. This car pulled off the
road just opposite [redacted] and the occupants motioned for
him to come over.

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[redacted] approached the car and observed five
Indian males, all in their early 20's. They asked if he
knew where Cook Street was and he said yes. They then
inquired if he would show them where [redacted] Street was.
[redacted] agreed and got into the car. He directed them
into Sioux City, Iowa, directly to the residence at [redacted]
[redacted] Street.

Upon arriving at the residence, three of the
Indians got out of the car; and one of them went to the trunk
and removed a rifle. He then told one of the other Indians
to get the gun out of the glove compartment. A revolver
was then removed from the glove compartment. This was the
first that [redacted] knew there had been any guns in the car.

These three Indians then entered the house taking
the rifle and revolver with them. After a couple of minutes,
one or two of the Indians who had entered the house came
back out and talked to the two who had remained in the car
with [redacted] could not recall whether the

5/5/76
Interviewed on [redacted] City, Iowa File # OM 70-1928
SA
SA
by [redacted] Date dictated 5/7/76

198-518-
AC 70-11604-108

OM 70-1928

original two then went back into the house or one or both of the two who had remained with him went back into the house.

After a minute or two, the Indians informed him they would take him to work as they had promised. After going about a block, the car was stopped by the FBI and police and everyone in the car was taken into custody.

[redacted] stated both of the Indians he was with when the car was stopped had been in it when he was first picked up hitchhiking. The individual who was driving at that time had always been the driver of the car.

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He stated he had never seen any of these individuals before and knew nothing about them. While they were driving to the residence at [redacted] Street, one of the individuals in the back seat had asked if he knew that RUSSELL MEANS had been shot. [redacted] said no and was told "They had shot him up." By this, [redacted] stated he did not get the idea that the occupants of the car had shot him but that the "they" referred to someone else.

At this time [redacted] was exhibited a National Ordinance .30 caliber rifle, serial number [redacted] and a five shot INA .38 caliber revolver, serial number [redacted]. He stated these weapons appeared to be similar to the rifle and revolver which had been removed from the car and taken into the residence at [redacted] Street.

[redacted] furnished the following descriptive data:

Sex	Male
Race	White
Date of Birth	[redacted]
Place of Birth	[redacted]
Height	5'8"
Weight	135
Eyes	Blue
Hair	Dark brown, long
Social Security Account Number	[redacted]

FEDERAL BUREAU OF INVESTIGATION

5/11/76

Date of transcription

At approximately 10:35 a.m., May 5, 1976, a white 1965 Dodge, bearing South Dakota license [redacted] was stopped in the middle of the 800 block of Cook Street, Sioux City, Iowa, which is located [redacted] of the [redacted] this vehicle was stopped by Special Agents (SAs) [redacted] and [redacted] of the FBI and Sioux City, Iowa, Police Detective Sergeants [redacted] and [redacted]. Taken into custody at that time were the following individuals:

[redacted] the driver;
[redacted] who was in the back seat;
[redacted] who had been riding in front passenger seat.

These three individuals were released to Sioux City patrol officers for transfer to the city jail.

The 1965 Dodge was removed from the middle of the street by SA [redacted] and parked along the curb. The vehicle was then locked and the keys retained by SA [redacted].

SAs [redacted] and [redacted] together with Detectives [redacted] and [redacted] and Patrolman [redacted] then went directly to the residence at [redacted]. The residence was entered, and [redacted] and [redacted] were observed on the first floor and questioned. Located upstairs by Sergeants [redacted] and Patrolman [redacted] were three Indian males who identified themselves as [redacted] and [redacted]. Located upstairs in the same room where these three individuals were located was a National Ordinance .30 caliber rifle, serial number [redacted] and a five shot .38 caliber INA revolver, serial number [redacted]. A search of these three individuals located several rounds of .38 caliber, .30 caliber and .22 caliber ammunition.

[redacted] and [redacted] were then transported to the Sioux City jail for questioning.

Interviewed on 5/5/76 at Sioux City, Iowa File # OM 70-1928
by SA [redacted] SA [redacted] Date dictated 5/7/76

198-518-
RE 70-11609-107

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/11/76

[redacted] Street, telephone [redacted], appeared at the Sioux City Police Station at which time she voluntarily furnished the following information:

At approximately 10:30 a.m. May 5, 1976, three men came to the front door of [redacted] Street and asked to see [redacted]. [redacted] recognized two of the men as [redacted] cousin, and [redacted]. She described the third as a young Indian male, wearing a gray T-shirt and glasses.

As [redacted] went upstairs to where [redacted] was sleeping, [redacted] went out to their car and returned a short time later with a rifle. He placed the weapon on the living room floor after removing the ammo clip.

[redacted] came downstairs and they decided to get some beer. [redacted] said they sent another fellow who was outside by their car to get the beer.

In the matter of just a couple of minutes, the police arrived; and the three men in the living room jumped up, one grabbed the rifle and they all ran upstairs. [redacted] went into the kitchen. [redacted] was not certain who grabbed the rifle. The police arrested the men and left.

She concluded by saying she never heard any of the men mention anything about a shooting; and in particular, nothing about the RUSSELL MEANS incident.

Interviewed on 5/11/76 at Sioux City, Iowa File # OM 70-1928
by SA [redacted] Date dictated 5/7/76

198-518-
AC-70-11607-106

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/11/76

[redacted] Street, telephone number [redacted] appeared at the Sioux City Police Station at which time she voluntarily furnished the following information:

At approximately 10:30 a.m., May 5, 1976, three men came to her home looking for [redacted] said [redacted] and his wife are living with her temporarily and [redacted] was sleeping upstairs.

[redacted] advised her sister, [redacted] was present at the time the men entered the house. She said she only knew two of them, [redacted] (cousin) and [redacted]. The third man she described as a young Indian male, wearing a gray T-shirt and glasses.

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[redacted] went upstairs to get [redacted] and [redacted] went outside to their car and returned with a rifle. [redacted] said she never saw any handgun, only the rifle which was placed on the living room floor.

[redacted] said another Indian male she did not know left to get beer; and in a matter of a few minutes, the police arrived and arrested the men in [redacted].

She concluded by saying the men never mentioned anything about any shooting, and in particular, the RUSSELL MEANS incident.

Interviewed on 5/5/76 at Sioux City, Iowa File # OM 70-1928
by SA [redacted] Date dictated 5/7/76

198-518-
RE 70-11609-105

Serial No. 13926W

Property & Evidence Unit
SIOUX CITY POLICE DEPARTMENT

2. DATE AND TIME OF RELEASE
05-05-76 1700

3. CASE NO.

JR

PHONE

FEDERAL BLDG. PIERRE S.D.

[illegible]

Released to authorized FBI agents from Wagner SD for their use in cases pending in SD.

10. OFFICE ADDRESS [REDACTED]		13. STATUS (CHECK ONE) <input type="checkbox"/> SUSPENDED <input type="checkbox"/> OPEN <input type="checkbox"/> EX. CLSD. <input checked="" type="checkbox"/> CLOSED		15. DATE/TIME 5-5-76 1700	16. REPRODUCED BY
11. SECTION OR UNIT ID Bureau		14. SUPERVISOR APPROVING [REDACTED]		17. UNIT REFERRED TO	18. UCR DISPOSITION
12. PROPERTY SUPERVISOR [REDACTED]		19. REVIEWER [REDACTED]		IDENT. NO.	

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RESIDENCE Rapid City, So. Dak.		COLOR W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/>	SEX M <input checked="" type="checkbox"/> F <input type="checkbox"/>	AGE 18	OCCUPATION Labor
MARKS, SCARS, ETC.		COMPLEX. Tsn	HT. 5'8	WT. 147	HAIR Blk
NATIONALITY Indian		TIME AND DATE OF ARREST 11:05 A.M. 5-5-76			EYES Brn
PLACE ARRESTED 9th & Cook St.		SERIAL NO.			
Hold for FBI		SEARCHED BY			
		BOOKED BY			
FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)					
605-					
Will use phone later. pvh					

#7-Bull Horn

DIVISIONAL COPY

INVESTIGATION

Name		Alias	
Address	Rapid City So Dak	Fingerprint No.	
Arrest No		Where Arrested	9th & Cook
Time & Date Arrested	5-5-76 1105	Arresting Officers	
REASON ARRESTED: (Give details as well as Complaint Numbers)			
See Compl 13926W			

SEARCHED INDEXED
SERIALIZED FILED
JUL 22 1976
FBI-OMAHA

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LAST NAME [REDACTED]		FIRST NAME [REDACTED]		INITIALS [REDACTED]		DO B [REDACTED]		122	
RESIDENCE Greenwood, So. Dak.				COLOR W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/>		SEX M <input checked="" type="checkbox"/> F <input type="checkbox"/>		AGE 22	
MARKS, SCARS, ETC. [REDACTED]				COMPLEX. Tan		HT. 5'5		WT. 136	
				HAIR Blk		EYES Brn		PROPER Elfd. laces	
NATIONALITY Indian				TIME AND DATE OF ARREST 11:30 A.M. 5-5-1976				SERIAL NO. [REDACTED]	
PLACE ARRESTED [REDACTED] St.				ARRESTING OFFICERS FBI Okuniewicz & Co.					
Hold for FBI				SEARCHED BY _____ BOOKED BY _____					

Will use phone later. FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)

DIVISIONAL COPY

#4 Street

INVESTIGATION

Name	[REDACTED]	Alias	[REDACTED]
Address	Greenwood So Dak	Fingerprint No.	[REDACTED]
Arrest No.	[REDACTED]	Where Arrested	[REDACTED]
Time & Date Arrested	5-5-76 1130	Arresting Officers	[REDACTED]

REASON ARRESTED: (Give details as well as Complaint Numbers)

See Complaint # 12026W

b6
b7C

[REDACTED]		[REDACTED]		[REDACTED]	
RESIDENCE Wagner, So. Dak.		COLOR W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/>	SEX M <input checked="" type="checkbox"/> F <input type="checkbox"/>	AGE 19	OCCUPATION Labor
MARKS, SCARS, ETC. [REDACTED]		COMPLEX. Tan	HT. 5'11	WT. 160	HAIR Blk
NATIONALITY Indian		TIME AND DATE OF ARREST 11:20 A.M. 5-5-76		SERIAL NO. [REDACTED]	
PLACE ARRESTED [REDACTED] St.		ARRESTING OFFICERS FBI [REDACTED] & Co.			
Hold for FBI		SEARCHED BY [REDACTED]		BOOKED BY [REDACTED]	
Will use phone later					
FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)					

#7 Invert

DIVISIONAL COPY

INVESTIGATION

Name	[REDACTED]	Alias	[REDACTED]
Address	Wagner So Dak	Fingerprint No.	[REDACTED]
Arrest No.	[REDACTED]	Where Arrested	[REDACTED]
Time & Date Arrested	5-5-76 1120	Arresting Officers	[REDACTED]
REASON ARRESTED: (Give details as well as Complaint Numbers)			
See Compl 13926W			

b6
b7C

I N V E S T I G A T I O N

Name Alias SS#
 Address WIDNER, S.D. Fingerprint No.
 Arrest No: Where Arrested ST.
 Time & Date Arrested 11:13AM 5-5-76 Arresting Officers SGT

REASON ARRESTED: (Give details as well as Complaint Numbers)
 COMPLAINT #13926W... WAS WITH PARTIES WHO WERE WANTED FOR QUESTION
 IN REGARDS TO A SHOOTING IN WADNER S.D.

b6
b7C

LAST NAME		FIRST NAME		INITIAL	ALIAS		SS#	ARREST
 		 		 	 		 	
RESIDENCE					COLOR	SEX	AGE	OCCUPATION
None					W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/>	M <input type="checkbox"/> F <input checked="" type="checkbox"/>	17	None
MARKS, SCARS, ETC.					COMPLEX.	HT.	WT.	HAIR
					Tan	5'5	120	Blk
NATIONALITY					TIME AND DATE OF ARREST		SERIAL NO.	
Indian					11:13 A.M. 5-5-76		22312	
PLACE ARRESTED					ARRESTING OFFICERS			
 St.					FBI & Co.			
Holt for FBI					SEARCHED BY 			
					BOOKED BY 			

Parents to be notified by FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)

DIVISIONAL COPY

3 Juu,

LAST NAME		FIRST NAME		INITIAL	ALIAS	SS #	ARREST
[REDACTED]						[REDACTED]	
RESIDENCE					COLOR	SEX	AGE
Lake Andes, So. Dak.					W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/>	[REDACTED]	23
[REDACTED]					COMPLEX.	HT.	WT.
[REDACTED]					Tan	5'8	163
[REDACTED]					HAIR	EYES	
[REDACTED]					Blk	Brn	
NATIONALITY		TIME AND DATE OF ARREST			SERIAL NO.		
Indian		10:50 A.M. 5-5-76			76		35.00
PLACE ARRESTED		ARRESTING OFFICERS					
9th & Cook St.		Sgt [REDACTED] Ptl [REDACTED]					
Held for FBI		SEARCHED BY [REDACTED]					
		BOOKED BY [REDACTED]					
FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)							
Will use phone later.							

DIVISIONAL COPY

42 LmcaX

INVESTIGATION

Name	[REDACTED]	Alias	SS [REDACTED]
Address	Lake Andes So Dak	Fingerprint No.	[REDACTED]
Arrest No.	[REDACTED]	Where Arrested	[REDACTED] - 9th & 3rd
Time & Date Arrested	1050 5-5-76	Arresting Office	[REDACTED]
REASON ARRESTED: (Give details as well as Complaint Numbers)			
Wanted in ref to compl 13926W			
Also arrested was [REDACTED]			
[REDACTED]	Jr.	[REDACTED]	

b6
b7C

Complainant

[REDACTED]

Nature of Complaint

A7C

Address

S. Dakota FCI

Received by

[REDACTED]

In Person
Letter

xxx Telephone

Time 08:50

M. Date 5-2-7

Officers Assigned

All Cars

[REDACTED]

* 20

Details of Complaint:

See Attached Supp.

13926



Approved
(Chief or Commanding Officer)

Signature
(Investigating Officer)

1 PSX1//.

MSG FROM NLETS 0075

AM.SD0110000. TO:IA0970000

*144--2732K.

TXT

TO WOODBURY COUNTY SHERIFFS OFFICE SIOUX CITY IA.

THE SHERIFFS OFFICE LAKE ANDES SOUTH DAKOTA WOULD LIKE YOU TO CHECK

[REDACTED] STREET SIOUX CITY IA. BELIEVE ADDRESS OF A [REDACTED]

CHECK FOR A [REDACTED]

AND [REDACTED] IF ARE THERE OR HAVE BEEN THERE. USE CAUTION

SUBJECTS ARE WANTED FOR QUESTIONING IN A SHOOTING IN WAGNER SD.

SUBJECTS BELIEVED ARMED AND ARE DANGEROUS. [REDACTED] NOT

WANTED PUT MAY BE INVOLVED.

AUTHORITY DIVISION OF CRIMINAL INVESTIGATIONS PLATTE SD 14-4

0805VDT DDS

; 050849/05050850

PSX1 72

Det Bur 13930
13926

SUPPLEMENTARY REPORT

POLICE DEPARTMENT

SERIAL # 13926i

OFFENSE Foreign Wanted

COMPLAINANT

ADDRESS South Dakota ECI

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

Shooting at Wagner, South Dakota early AM of 5-5-76. Two people shot;

Wanted regarding this shooting;

All these subjects are Indian males in their late teens or early 20's.

- #1 [redacted] wanted for questioning regarding shooting
- #2 [redacted] wanted for questioning regarding shooting
- #3 [redacted] escapee also wanted for questioning
- #4 [redacted] not involved but do want to talk to him.

Autos possibly involved; All have 1975 South Dakota plates

- #1 [redacted] 69 Ford 2 door possibly Mustang
- #2 [redacted] white 65 Pontiac 4 door.
- #3 [redacted] Blue 65 Chev. Impalla 2 door.
- #4 [redacted] balance unknown 67-69 Ford. Seen at Vermillion this AM.

These subjects possibly heading for [redacted] residence of [redacted] and [redacted]

[redacted] is the brother of [redacted] [redacted] not ~~involved~~ wanted but may be involved.

THIS OFFENSE IS DECLARED:

CLEARED BY ARREST ☐ SIGNED

EXCEPTIONALLY
CLEARED ☐

UNFOUNDED ☐

INACTIVE ☐

SIGNED

SIGNED

CHIEF OR COMMANDING OFFICER

DATE 5-5-76

ER

DATE

POLICE

b6
b7C

OFFENSE

SERIAL NO. 13862W

Bureau

POLICE DEPARTMENT
SIOUX CITY, IOWA

COMPLAINANT Sgt [REDACTED]

ADDRESS

Two checks and a Valley State Bank Card were given to this Officer to be processed; All items were subjected to Ninhydrin process, after several hours in dry heat, latents started to appear; PARTIAL IDENTIFIABLE LATENTS WERE DEVELOPED.

ITEMS SECURED IN PLASTIC CONTAINERS AND HELD FOR SUSPECT COMPARISON.

SIGNED Lt [REDACTED]

DATE 5-6-76

b6
b7C

INVESTIGATION

Name Alias
 Address 9. SIOUX CY., NEBR. Fingerprint No.
 Arrest No. Where Arrested 9th & COOK ST.
 Time & Date Arrested 11:00 AM 5-5-76 Arresting Officers SGT.

REASON ARRESTED: (Give details as well as Complaint Numbers)
 COMPL. #13926W HAS WITH PARTIES WHO WERE WANTED FOR QUESTIONING IN
 REFERENCE SHOOTING IN WAGNER S.D.

not microfilm or printed

LAST NAME 		FIRST NAME 		INITIAL 		ALIAS 		AP 10	
RESIDENCE So. Sioux, Nebr.				COLOR W <input type="checkbox"/> C <input type="checkbox"/> O <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> 19		SEX M <input type="checkbox"/> F <input type="checkbox"/> 19		OCCUPATION Labor	
MARKS, SCARS, ETC.				COMPLEX. Med		HT. 5'8		WT. 130	
NATIONALITY 				TIME AND DATE OF ARREST A.M. 5-5-76 P.M. 19		HAIR Brn		EYES Blue	
PLACE ARRESTED 9th & Cook				ARRESTING OFFICERS Sgt. Pt. 		SERIAL NO.			
Hold for FBI				SEARCHED BY 		BOOKED BY 			
 Called. pvh				FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)					

not microfilm or printed

DIVISIONAL COPY

b6
b7C

LAST NAME	FIRST NAME	INITIAL	ALIAS	
[REDACTED] Jr.	[REDACTED]	[REDACTED]	[REDACTED]	
RESIDENCE			COLOR	SEX
[REDACTED] St.			W <input type="checkbox"/> C <input type="checkbox"/> O <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/>	AGE
			19	OCCUPATION
				Labor
MARKS, SCARS, ETC.		COMPLEX.	HT.	WT.
[REDACTED]		Tan	5'4	130
			Blk	Eyes
			Brn	
NATIONALITY		TIME AND DATE OF ARREST		SERIAL NO.
Indian		11:25 A.M. 5-5-76		00001
		P.M. 19		
PLACE ARRESTED		ARRESTING OFFICERS		
[REDACTED] St.		FBI [REDACTED] & Co.		
Hold for FBI		SEARCHED BY Lt. [REDACTED]		
		BOOKED BY Voz [REDACTED]		
FACTS OF ARREST (DESCRIBE SPECIFIC ACT FOR WHICH ARRESTED)				
Will use phone later. pvh				
<i>not mugged or printed</i>				

DIVISIONAL COPY

#3 Bail Person

INVESTIGATION

Name	JR.	Alias	SS#
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Address	ST.	Fingerprint No.	
[REDACTED]	[REDACTED]	[REDACTED]	
Arrest No.	Where Arrested	ST.	
[REDACTED]	[REDACTED]	[REDACTED]	
Time & Date Arrested 11:25 AM 5-5-76 Arresting Officers SGT. [REDACTED]			
REASON ARRESTED: (Give details as well as Complaint Numbers)			
COMPLAINT #13926W.....WANTED FOR QUESTIONING IN REGARDS TO SHOOTING			
IN WAGNER, S.D. ALSO POSSIBLY AN ESCAPEE.			
<i>not mugged & printed</i>			

b6
b7C

PROPERTY & EVIDENCE UNIT
CITY POLICE DEPARTMENT

REPORT		1. Date and Time Occurred <i>5-5-76 1030</i>		2. Date/Time Reported <i>5-5-76 0850</i>		3. Case Number <i>13926 W</i>	
EVIDENCE & PROPERTY UNIT CITY POLICE DEPARTMENT		4. Property Type <input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Stolen <input type="checkbox"/> Found <input type="checkbox"/> Safekeeping <input type="checkbox"/> Prisoner's Property		7. General Condition of Property <i>Good</i>		8. Total Value	
		5. Prisoner's Name <i>See Attached List</i>		Address <i>Dakota DCI</i>		Phone	
		6. Owners Name		Address			
15. Recovery Location <div style="background-color: black; width: 100px; height: 20px;"></div>		16. Notifications Detective <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		9. No. Items <i>6</i>		10. Locker No.	
17. Arrests (1) <i>7</i> (2)		Summons or Arrest No. <div style="background-color: black; width: 100px; height: 20px;"></div>		12. Crime Involved		13. Property Located? <div style="background-color: black; width: 100px; height: 20px;"></div>	
18.. Narrative: Continuation of above items and itemized list of property including serial numbers and other details of investigation.							
Item No.	Qty.	Description				Value	
1	6	<i>30 CAL CARBINE Rounds</i>					
2	1	<i>5 - 38 CAL. CARTRIDGES 1- Brown Holster INA 38 CAL 5 shot Revolver Serial [redacted]</i>					
3	2	<i>30 CAL CLIPS</i>					
4	1	<i>Serial [redacted] 30 CAL NATIONAL ORDNANCE JIVE CARBINE</i>					
5		<i>8-54W 38 CAL short + 1- Winchester 38 CAL CARTRIDGE 2-Guns Assorted Ammo. Serials 11 FED Long Bullets-63 FED. 22 CAL LONG RIFLE BULLETS 3 mm.</i>					
6	1	<i>30 CAL CLIP</i>					
7							
8							
9							
10							
11							
12							
13							
14							
15							
19. Reporting Officer <div style="background-color: black; width: 100px; height: 40px;"></div>		Ident. No. <i>SGT</i>		21. Status Check One <input type="checkbox"/> Suspended <input type="checkbox"/> Ex Cld <input checked="" type="checkbox"/> Open		23. Date/Time No.	
20. Property Supervisor Receiving Property		22. Supervisor Approving Ident. No.		25. Unit Referred To		26. UCR Disposition	
27. Reviewer				Office Use Only No. Reproduced By			

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 21, 1976

[REDACTED] Mission, South Dakota, advised that he did not want to discuss anything with the Federal Bureau of Investigation without his attorney being present. The interview was then terminated.

b6
b7c

Interviewed on 6/9/76 at Mission, South Dakota File # 198-518-70-11609-103
by SA WILLIAM R. SCHROEDER and SA WALTER P. J. QUITLEY WRS/dlo Date dictated 6/15/76

7/22/76

TUGBOG M. VILLALBA	

**RUSSELL MEANS -- VICTIM;
VICTIM**

CIR - ASSAULT WITH INTENT TO KILL: JDA

Re Bureau Routing Slip to Minneapolis 6/28/76.

Enclosed for the Bureau is referenced routing slip and copies of invoices from Crisman Aviation dated 5/5/76.

Enclosed invoices represent expenditures made in investigation of captioned matter. On 5/5/76 the subjects of this investigation were located in Sioux City, Iowa, within 100 miles of the scene of the crime and/or Magistrate authorizing complaints. Because of this, it was necessary to fly an Agent from Wagner, South Dakota, to Sioux Falls, South Dakota, to prepare the complaints then in turn fly the complaints and warrants to Vermillion, South Dakota, to be signed at a location where the U. S. Magistrate was at the particular time.

Because of the expeditious nature of this matter, the aircraft was rented and fortunately the Division of Criminal Investigation (DCI), Pierre, South Dakota, had a pilot available thusly avoiding the hiring of a pilot also.

If this had not been done in this way, many more man hours and much more correspondence would have been involved in obtaining extradition of the arrested subjects from Iowa back to South Dakota.

2 - Bureau (Enclosures 7)

247 Rapid City

MM: aFW

(4) *Am*

SEARCHED INDEXED
SERIALIZED FILED *smd*
JUN 27 1976

The following information was obtained from the review:

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RAPID CITY	OFFICE OF ORIGIN RAPID CITY (MINNEAPOLIS)	DATE 7/21/76	INVESTIGATIVE PERIOD 5/5/76 - 7/13/76
TITLE OF CASE <div style="border: 1px solid black; width: 300px; height: 80px; margin: 5px 0;"></div> RUSSELL MEANS - VICTIM - VICTIM		REPORT MADE BY WILLIAM R. SCHROEDER	TYPED BY arw
FUGITIVE aka;		CHARACTER OF CASE CIR - ASSAULT WITH INTENT TO KILL; JDA	

REFERENCES

Rapid City report of SA WILLIAM R. SCHROEDER 5/10/76;
 FBI Laboratory, Latent Fingerprint Section report 6/15/76;
 Portland letter to Rapid City 6/21/76.
 Minneapolis teletype captioned
 Fugitive; EFP; EM - AIM" dated 6/27/76;
 Minneapolis teletype captioned
 Fugitive; EFP; EM - AIM" dated 6/26/76;
 Minneapolis teletype captioned as above 6/29/76;
 Minneapolis teletype to Kansas City captioned
 - Fugitive; Et Al.; CIR -
 ADW; Burglary" dated 6/30/76;
 Kansas City teletype to Rapid City captioned
 - Fugitive; Et Al., CIR-ADW; Burglary" 7/2/76

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:			
2 - Bureau (70-68145) 1 - USA, Sioux Falls, South Dakota 1 - ASO, BIA, Fort Thompson, South Dakota ③ - Rapid City (70-11609) (1 - 70-9926) <i>aw</i> <i>USA copy handwritten</i>		198-518 70-11609-101 Searched <input checked="" type="checkbox"/> Serialized <input checked="" type="checkbox"/> Indexed <input checked="" type="checkbox"/> Filed <input checked="" type="checkbox"/> <i>Schroeder</i>	
Dissemination Record of Attached Report		Notations	
Agency			
Request Recd.			
Date Fwd.			
How Fwd.			
By			

RC 70-11609

Kansas City teletype to Rapid City captioned
[redacted] - Fugitive; Et Al.;
CIR - ADW; Burglary dated 7/6/76;
FBI Laboratory report dated 7/13/76 captioned
as above;

-p-

ADMINISTRATIVE

Investigative period overlaps referenced report
but this was done to include results of investigation which
was not available at time of report.

b6
b7C

[redacted]
[redacted] Warrant charging [redacted] with
ADW and Burglary for his actions in May, 1975, was re-issued
(Rapid City file 70-9926, Bufile 70-65273) because a
Federal Grand Jury had issued indictment in 1975 charging
subject with two counts of ADW and one count of breaking
and entering and AUSA, Sioux Falls, South Dakota, would not
authorize issuance of EEP warrant as [redacted] was in state
custody at the time [redacted] In view of this,
fugitive investigation will be reported Bufile 70-65273.

LEADS

RAPID CITY

AT PIERRE, SOUTH DAKOTA

Will maintain contact with AUSA re prosecution
of subjects.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA Sioux Falls, South Dakota
1 - [REDACTED] Agency Special Officer
Yankton Indian Reservation
Fort Thompson, South Dakota

Copy to:

Report of: WILLIAM R. SCHROEDER
Date: July 21, 1976

Office: Rapid City, South Dakota

Field Office File #: 70-11609

Bureau File #: 70-68145

Title:



XXXXXX

RUSSELL MEANS - VICTIM;

[REDACTED] - VICTIM

Character: CRIME ON INDIAN RESERVATION - ASSAULT WITH
XXXXXX INTENT TO KILL; JUVENILE DELINQUENCY ACT
Synopsis

Synopsis:

Preliminary hearing held 5/11-13/76 Sioux Falls, South Dakota, on all subjects except [REDACTED] before U. S. Magistrate DAVID V. VROOMAN at which time subjects were bound over for presentation to FGJ. Bail was set for [REDACTED] at \$25,000 with 10%; for [REDACTED] at \$25,000 with 10%; for [REDACTED] at \$15,000 with 10%; for [REDACTED] at \$5,000 with 10%. [REDACTED] was released on 5/10/76 on \$5,000 PR bond. Victims RUSSELL MEANS and [REDACTED] requested a re-interview by SAs of the FBI. They were re-interviewed on 5/11/76 and provided signed statements substantially the same as they had provided on 5/7/76. FBI Lab report indicates no latent fingerprints on items submitted. Bullet recovered from clothes of RUSSELL MEANS does not contain sufficient microscopic marks of value for identification purposes. Blood on T-shirt recovered is type O. [REDACTED]

[REDACTED] at [REDACTED] AUSA [REDACTED] filed and warrants issued 6/28/76 USDC, Sioux Falls, charging [REDACTED] with two counts of ADW and one count of Breaking and Entering in violation of Title 18, USC, Section 1153. Bond recommended \$25,000 cash or surety. This warrant issued for incident [REDACTED] involved in 1975. [REDACTED] refused to be interviewed.
ARMED AND DANGEROUS.

-P-

DETAILS

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

RC 70-11609

On May 5-13, 1976, preliminary hearings were held for the subjects [redacted] and [redacted] before U. S. Magistrate DAVID V. VROOMAN at which time they were bound over for Federal Grand Jury presentation. Bail was set for [redacted] at \$25,000 at 10%; for [redacted] at \$25,000 at 10%; for [redacted] at \$15,000 at 10%; for [redacted] at \$5,000 at 10%. [redacted] was released on May 10, 1976, \$5,000 Personal Recognizance Bond.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 14, 1976

(1)

RUSSELL MEANS was contacted at the Sacred Heart Hospital during an attempt to obtain a signed statement from [redacted] also a patient at the hospital, at which time he provided the following information:

He felt [redacted] was a Government agent. [redacted] was involved in three of the four attempts on his life. If [redacted] was not an FBI informant he [redacted] was working for (WILLIAM) JANKLOW.

He wished to talk to the FBI later in the day regarding his statement of last week.

b6
b7C

Interviewed on 5/11/76 at Yankton, South Dakota File # RC 70-11609

by SA [redacted] Date dictated 5/11/76

-3-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 14, 1976

RUSSELL MEANS was interviewed at the Sacred Heart Hospital, was told the identities of the interviewing Agents and the purpose of the interview by Special Agent [redacted] at which time he changed a Xerox copy of his signed statement of May 7, 1976, to read as follows:

"5/7/76
"Yankton, SD

"I, RUSSELL MEANS, make the following voluntary statement to [redacted] and [redacted] who have identified themselves to me as agents of the FBI. Agent [redacted] has told me the purpose of the interview. No threats or promises have been made.

"Late Tuesday night I was contacted to have a meeting with many young people and [redacted]. The date was 5/4/76 in the housing in Wagner, SD. Later that night we were told the meeting place had been changed to the [redacted] residence next to [redacted] residence. Upon arrival there many young people in the house, all around 18 or 20 years old and they had been drinking. [redacted] We noticed they were drinking 3.2 per cent beer. After sitting down and talking to them as to the Indian-White relationships, etc. and what should be done, [redacted] walked into the kitchen. It was around midnight. [redacted] had, in 1974, with some of his friends, had beaten me and [redacted] and subsequently had shot at me. Subsequent to that [redacted] and about 15 of his friends had jumped my brother BILL MEANS. Also had previously jumped [redacted]. In view of this we told everyone there [redacted] better leave or there would be trouble. [redacted] left.

b6
b7C

"We continued our discussion. Some of the young guys pulled out a .22 rifle, a sawed-off shotgun and a .22 pistol. I assumed [redacted] was still in the house.

Interviewed on 5/11/76 at Yankton, South Dakota File # RC 70-11609

by SA [redacted] arw Date dictated 5/11/76

so we thought we'd better leave. We got up to leave and [redacted] had what I believed to be a 22 caliber rifle and [redacted] had what I believed was a 22 caliber hand gun. At that point [redacted] kept us in the house at gunpoint for a while and they were making fun and polking at us. Someone then said "take them out of the house, we can't do anything to them in the house." They then marched us out of the house at gunpoint to the driveway on [redacted] house. Just prior to this [redacted] and [redacted] cocked their guns so I knew they weren't fooling around. After forcing me to sit on the driveway they began to kick me and [redacted] then made a run for it to get help. [redacted] at this point had two revolvers in his hand, both cocked. [redacted] said you take care of him and I'll get this one meaning [redacted] I was watching the man with the rifle, [redacted] as he backed across the street onto the grass. [redacted] had the rifle pointed at me. I heard a shot and I was hit by [redacted] I heard another shot but I don't know who fired it. [redacted] then ran.

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b7C

"I called for [redacted] who was at the [redacted] residence. [redacted] and [redacted] came to my aid and the next thing I recall an ambulance came.

"I don't know why they shot me except for the fact that they are against AIM and the [redacted] family and that the [redacted] and [redacted] dislike them. I think they set me up and I think [redacted] had something to do with it. [redacted] and [redacted] knew we were having a treaty meeting with the Superintendent and that it was a set up.

"I don't recall any other shots being fired except the two. I believe we were meant to be killed. Earlier that night there had been firing around the house. The night before there had been firing around the house.

"By the way, earlier that night a young fellow shot a shotgun which almost hit me. The shotgun blast went within six inches of my face.

"While we were in the house they were calling [redacted] And I was told [redacted] came in the house. I feel I could positively identify [redacted] and [redacted] in court.

[redacted] was about 5'1", slim, wavy hair, shoulder length, around 21 years of age, sharp features in the face.

[redacted] was short, stocky, baby face, slight mustache, very young and innocent looking, with choppy hair but not as long as [redacted]

[redacted] had black hair; I think [redacted] had dark brown hair.

"I would like a complete investigation into [redacted] involvement_

"I now sign this statement that consists of four pages.

"/s/ 5-7-76 RUSSELL MEANS

"Witnessed: [redacted] Special Agent - FBI
[redacted] SA, FBI, 5/7/76

"Realizing this is a copy of the original, I have made additional corrections and additions on this date 5-11-76 /s/ RUSSELL MEANS

[redacted] - FBI 5/11/76

[redacted] - SA - FBI"

MEANS advised that he felt that he was "set up" and he feels that maybe the plan was "to put weapons" in his and [redacted] hands so there would be a shoot-out. MEANS referred to the "young people" who shot him as "mis-directed hot heads."

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 13, 1976

[redacted] was interviewed at the Sacred Heart Hospital, was told the identities of the interviewing Agents and the purpose of the interview at which time he provided the following signed statement:

"Yankton, SD

"5/11/76

"I, [redacted] make the following voluntary statement to [redacted] and [redacted] who have identified themselves to me as agents of the FBI. Agent [redacted] has advised me as to the purpose of the interview. No threats or promises have been made.

"Tuesday night, 5/4/76, [redacted]

[redacted] in Wagner, SD. [redacted] **RUSSELL MEANS**. Later

[redacted] Wagner, SD, to discuss the legal aspects of the second takeover of the pork plant. The meeting was to take place at 10:30 p.m. at [redacted] which is across the street from [redacted]

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b7C

"When we arrived we met some people in cars, but we did not know these people. These people said the meeting would be at the [redacted] residence which is across the street from the [redacted] residence and next to the [redacted] residence.

"We were invited into the [redacted] residence. I do not know what [redacted] owned the house. The time was inbetween 11 and 12 pm. Most of the dealing was with MEANS.

"We first sat in the kitchen area. There was beer in the area. We did notice it was 3.2 beer. One of the individuals there was asking MEANS' advice. Suddenly [redacted] showed up. He and MEANS were disturbed as they felt they could not talk with [redacted] present. [redacted] had attempted to

Interviewed on 5/11/76 at Yankton, South Dakota File # RC 70-11609

by SA [redacted] arw Date dictated 5/11/76

-7-

[redacted] MEANS and one of MEANS' [redacted] previously.
[redacted] left and the discussion continued.

[redacted] and [redacted] were there with
other individuals. The discussion continued with
[redacted] and a guy named [redacted] doing a lot
of talking. I did not previously know [redacted] &
[redacted] but I know them now.

"I saw the Sioux City, Iowa, newspaper, last
Thursday. The newspaper showed four individuals
on the front page. I saw the four pictures and the
man who shot me was one of the men in those four
pictures. The story in the newspaper was with
regards to my shooting.

b6
b7C

"I was there Tuesday night to trying to put
together a package on the Sundance and the treaty
convention. There was a smoky atmosphere in the
kitchen and there was arguing so I left to go out-
side to get some fresh air. I was outside for ten or
fifteen minutes and then I heard a shot coming from
inside the house. The shot sounded like a shotgun.
I ran back inside as MEANS was still inside. There
was still confusion inside. I then went outside again.
MEANS stayed in the house. I went and sat in [redacted]
[redacted] which was parked in front of the [redacted]
residence. There were [redacted]

I do not know [redacted] last names but their first
names were [redacted] and [redacted]

"I then noticed two people marching MEANS out
of the house at gunpoint. One had a rifle and one
had a handgun. [redacted] was closest to MEANS and he
had the handgun. The man with the rifle was [redacted]
As they came out of the door they took a right and
[redacted] saw us in the car and [redacted] shot at us with
the rifle. I believe there were two shots. I was
on the drivers side of the car. The [redacted] yelled
that they were shooting at us but I couldn't believe
it. The [redacted] and I believe
they took off. I then got out of the car [redacted]
then stuck a handgun into my face. I saw [redacted] with
a rifle marching MEANS across the street to the front
of the [redacted] residence. I heard [redacted] say to MEANS

as [] kicked MEANS he was saying "you son of a bitch I ought to shoot you. I ought to kill you." [] continued to hold the handgun at my head. [] said "hold it right there. Freeze." MEANS was on the ground. [] said "come out here." [] was backing up and I followed him. [] said "lay down" and I layed down on the road. The gun was cocked. It was a long barrel .22 pistol. I was down on all fours. [] started backing up to MEANS where [] was. They were giving MEANS all kinds of hell. [] came back to me and said "get the keys out of the car." I got the keys and opened the back of the vehicle which was a station wagon. [] told me to empty the wagon. I grabbed everything in the rear of the wagon and threw it onto the street. [] then made me lay down in [] told me to "spread eagle you son of a bitch or I'll kill you."

b6
b7C

"I then heard a shot go off. I saw [] with the rifle backing up in the street, aiming it at MEANS and I heard MEANS moan. I heard [] say "did you kill him, did you kill him, did you kill him?" [] then ran over to MEANS and [] ran over to me and said "I ought to shoot you, you son of a bitch." I said "hey man, what's going on. We're not even from here?" I had my hand up. [] had the rifle pointed at my head. [] said "put your hand down. I ought to kill you you son of a bitch."

[] then moved back and said again "I ought to kill you, you son of a bitch." I then heard a shot and []

"The rifle was a .22 but I'm not sure whether it was a pump or lever action.

"I was still awake. I heard them out there. [] and didn't want to move while they were there. I then heard them drive away. At this point I heard MEANS yelling [] I got up and ran and beat on the window where [] was sleeping. [] wife said go to the back door. I went to the door and they let me in and I said "RUSS is hit."

"I would like to back track. After [redacted] [redacted] I heard one of them [redacted] or [redacted] say let's go. let's get out of here."

b6
b7C

[redacted] and other people then tried to stop the bleeding. We first went to the Wagner hospital then to the Sacred Heart Hospital in Yankton, SD.

"I am sure [redacted] and I would be willing to testify to that in court.

"We were introduced to the people at the get together that night, previous to the shooting, but I don't recall the other names.

"I would like to back track again. As they marched MEANS out of the house there was a third man, whom I can not identify, standing by the corner of the [redacted] house. The man had a shotgun and stood there as though he was a cover.

"I have read this statement of six (6) pages and it is true to the best of my knowledge.

"/s/ [redacted]

"Witnessed: [redacted] Special Agent - FBI
[redacted] SA, FBI, 5/11/76."

He could be contacted through the Legal House, 712 Allen Avenue, Rapid City, South Dakota 57701.

He feared alterations would be made to his signed statement and requested he be provided with copies. In the presence of [redacted] designated by [redacted] two copies of the statement were duplicated on the hospital's Xerox machine and were given to [redacted] who thereafter, gave them to [redacted]

FEDERAL BUREAU OF INVESTIGATION

(1)

Date of transcription May 17, 1976

Photographs of a white 1965 Dodge two-door sedan, Vehicle Identification Number [REDACTED] bearing South Dakota License [REDACTED] were taken.

A photograph was taken of the trunk of aforementioned vehicle wherein was located a .22 caliber rifle. Serial Number [REDACTED]

b6
b7C

Interviewed on 5/5/76 at Sioux City, Iowa File # BC 70-11609
by SA [REDACTED] JR.:arw Date dictated 5/11/76

-11-

FEDERAL BUREAU OF INVESTIGATION

(1)

Date of transcription May 17, 1976

Photographs of the FRED ZEPHIER residence were taken. Photos included those of a light switch in the hallway of the residence. Photographs of the front and rear door area of the residence were taken. The bathroom area and a front view of the entire residence and side view close-up below the north side window were photographed.

b6
b7C

Interviewed on 5/5/76 at Wagner, South Dakota File # RC 70-11609

by SA JR.:arw Date dictated 5/11/76

-12-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

(1)

Date of transcription May 18, 1976

A Pontiac Tempest station wagon, white in color, 1974 North Dakota License [redacted] with a 1976 Sticker Number [redacted] was examined at the Fetchner's Garage, Wagner, South Dakota.

The following items were noted:

Rear taillights were broken out; the rear bumper was torn on the left side; two bullet holes were located on the left side of the driver's side; one hole was located approximately seven inches below the driver's side door handle, rear door; second hole was located just above the rear wheel well approximately two inches to the rear of the back side door, driver's side.

b6
b7C

Photographs of this vehicle recording the bullet holes were taken by Special Agent [redacted] JR.

Interviewed on 5/6/76 at Wagner, South Dakota File # RC 70-11609
by SA [redacted] SA [redacted] JR. [redacted] arw Date dictated 5/12/76

-13-

FEDERAL BUREAU OF INVESTIGATION

5/13/76

Date of transcription

1

[redacted] appeared at the Aberdeen Resident agency at 11:00 AM on this date and furnished the following information:

He is currently attending Northern State College at Aberdeen as a sophomore taking business administration and is employed at Public Health Service in a college program. He learned from news broadcasts that one [redacted] was wanted in connection with a shooting incident at Wagner, South Dakota, and called the Aberdeen Police Department, inasmuch as he was not involved in such a matter although he comes from Wagner, South Dakota.

He reported that he lost his wallet during the summer when out drinking with friends at either Wagner or Greenwood, South Dakota, and possibly someone is using his identification from the lost wallet.

He is acquainted with [redacted] and some of the [redacted] but they are younger than he is and further he does not associate with them. He has heard that [redacted] has been hiding and staying at [redacted] house and the house of one [redacted] as well as his sisters' homes in South Sioux City and Sioux City, Iowa. His sisters are [redacted] and [redacted] and they are married to [redacted] and [redacted] brothers.

ARCHAMBEAU is described as follows:

Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Height	5' 7½"
Weight	190 pounds
Eyes	Brown
Hair	Brown
Father	[redacted]
Mother	[redacted]
Sister	[redacted]

Interviewed on 5/6/76 at Aberdeen, South Dakota File # RC 70-11609

by SA BRYAN J. MOGEN:dl Date dictated 5/10/76

-14-

RC 70-11609

2

Residence



Avenue, Aberdeen,
South Dakota.

b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 18, 1976

[redacted] was telephonically contacted at her place of employment, Bureau of Census and Probate, Bureau of Indian Affairs (BIA), Pine Ridge, South Dakota. After being advised of the identity of the contacting Agent, [redacted] furnished the following information:

[redacted] date of birth [redacted]
[redacted] is enrolled at Pine Ridge Indian Reservation and has enrollment number [redacted] father is shown as [redacted] and his mother is [redacted] also known as [redacted]

b6
b7CInterviewed on 5/11/76 at Rapid City, South Dakota File # RC 70-11609by SA [redacted] amj Date dictated 5/17/76

-16-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

[redacted] kh
(2)

MP (70-11609)

On May 13, 1976, United States Attorney WILLIAM F. CLAYTON, Sioux Falls, South Dakota, requested that Special Agent (SA) [redacted] Sioux Falls, South Dakota, Resident Agency, telephonically contact RUSSELL MEANS and [redacted] at Sacred Heart Hospital, Yankton, South Dakota, [redacted]
[redacted]
[redacted]

b3
b6
b7c

On May 13, 1976, SA [redacted] contacted MEANS at Sacred Heart Hospital and MEANS advised that he and [redacted] would be dismissed from the hospital on the morning of May 13, 1976. [redacted] stated that he and [redacted] would be in [redacted] on the afternoon of [redacted]
[redacted]
[redacted]
[redacted] Wagner, South Dakota.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 21, 1976

Mission, South Dakota, advised that he did not want to discuss anything with the Federal Bureau of Investigation without his attorney being present. The interview was then terminated.

b6
b7C

Interviewed on 6/9/76 at Mission, South Dakota File # 70-11609
by SA WILLIAM R. SCHROEDER and
SA WALTER P. J. QUIGLEY WRS/dlo Date dictated 6/15/76

-18-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

On June 27, 1976, [redacted]

[redacted] advised that [redacted] escaped from the Penitentiary at approximately 1:30 - 1:40 p.m. on [redacted] utilized a concrete fresh air vent which extended from the ground to the top of the west cell block. This fresh air vent has a series of barred windows which extend from approximately ten feet from the ground to approximately twelve feet from the top of the roof of the above-mentioned cell block. [redacted] jumped to the lower portion of the bars and pulled himself up and was able to conceal himself with the cold air vent from the sight of the tower guards. He is believed to have received some assistance from an unknown individual who was on top of the cell block. [redacted] spanned the twelve foot area from the top of the barred window to the roof with the aid of a rope.

[redacted] stated [redacted] crossed the west cell block from the north side to the south and fastened the rope to an eyelet which is used to attach guide wires for an antenna. As [redacted] climbed over the edge of the south side of the west cell block, it is believed that the rope broke and [redacted] fell a minimum of 40 feet to the ground. [redacted] is believed to have crossed the area adjacent to the prison by moving through an area which is heavily wooded. [redacted] concealed himself in this wooded area.

Approximately ten minutes after [redacted] escaped from the center court, an inmate went to the prison infirmary stating that an individual had gone over the wall. This information was passed on to the guards. An investigation was initiated which resulted in determining that [redacted] continued on into the wooded area and that visitors to [redacted] in the prison had been his wife, [redacted] and mother-in-law, [redacted] on June 23, 1976, and an unnamed brother on June 24, 1976.

On June 28, 1976, Assistant United States Attorney (AUSA) [redacted] Sioux Falls, South Dakota, advised that he would not authorize issuance of Escaped Federal Prisoner warrant against [redacted] inasmuch as [redacted] was in custody of State of South Dakota at the time of his escape. [redacted] advised, however, he would request a warrant be re-issued based on the indictment returned by the Federal Grand Jury in Sioux Falls in 1975 charging [redacted] with two counts of Assault with a Dangerous

Weapon and one count of Breaking and Entering. [redacted] advised that these charges are still outstanding in connection with [redacted] [redacted] Yankton, South Dakota, on May 5, 1975.

On June 28, 1976, [redacted] U. S. District Court, Sioux Falls, advised that this date an arrest warrant was issued and filed with U. S. Marshals, Sioux Falls, charging [redacted] with two counts of Assault with a Dangerous Weapon and one count of Breaking and Entering in violation of Title 18, U. S. Code, Section 1153. Bond was recommended at \$25,000 cash or surety.

On June 30, 1976, [redacted] [redacted] furnished a letter written by the subject on June 25, 1976, but never mailed, addressed to his sister, [redacted] (husband [redacted], [redacted] Appleton City, Missouri, in which the subject stated he would be coming to see her soon.

The following investigation was conducted at Appleton City, Missouri:

[redacted] Appleton City, telephone number [redacted] was contacted on July 1, 1976, at Witt Brothers Gas Station. [redacted] learned of [redacted] through contact with his mother, [redacted] Dakota City, Nebraska. [redacted] has been in Dakota City from June 28, 1976, through June 30, 1976, and advised that his wife, [redacted], has acted strange since his return but she has not talked much about [redacted] [redacted] is very close to [redacted] and [redacted] advised she would definitely not cooperate with the FBI and would probably harbor [redacted]

[redacted] is currently in Butler, Missouri, 25 miles north of Appleton City, visiting her sister, [redacted] [redacted] resides on Sunset Drive.

[redacted] mother, [redacted] brother, [redacted] and sister, [redacted], were supposed to be coming from Wagner, South Dakota, by automobile to Butler, Missouri, arriving on the evening of July 2, 1976, or morning of July 3, 1976. The family plans to stay the Fourth of July weekend and return. [redacted] advised [redacted] may be with his family when they arrived or may have already visited with sister [redacted] and departed the area. [redacted] does not like [redacted] [redacted] pledged his cooperation and recommended [redacted] not be contacted. He furnished the following names and telephone numbers of relatives of [redacted]

Mother	[redacted] Wagner,--South Dakota
Telephone	[redacted] [redacted] (divorced) Wagner, South Dakota
Sister	[redacted] Wagner,--South Dakota
Telephone	[redacted]
Sister	[redacted] Wagner,--South Dakota
Telephone	[redacted]
Brother	[redacted] Wagner,--South Dakota,
Telephone	[redacted]
Sister	[redacted] South Sioux City, Nebraska
Telephone	[redacted]
Sister	[redacted] [redacted], Arkansas
Telephone	[redacted]
Sister	[redacted] Tea-- South Dakota,
Telephone	[redacted]
Sister	[redacted] Butler, Missouri
Telephone	[redacted]
Brother	[redacted] Wagner, South Dakota

b6
b7C

[redacted] advised that [redacted] is driving a white over bluish green 1969 Delta 88 Crusmobile. [redacted] is driving a 1975 Malibu Classic, white over light blue also at the residence in non-working condition is a 1969 black over blue Mercury Cougar.

On the same date [redacted] Butler City Police Department was contacted and advised that one of his men observed [redacted] and four

RC 70-11609

or five other individuals, both males and females, parked at a bus station in Butler, Missouri, at 4:30 a.m. on the night of either June 28, 1976, or June 29, 1976. They appeared to be either waiting on someone to arrive or perhaps putting someone on the bus.

[redacted] Missouri Highway Patrol, resides near [redacted] residence and will be alert for [redacted]

b6
b7C

A photograph of subject was furnished to Butler Police Department and Highway Patrol on July 3, 1976, and periodic surveillance of [redacted] residence on that date were negative regarding subject.

On July 2, 1976, [redacted] Missouri Highway Patrol, received a telephone call from a male, name unknown, requesting instructions to [redacted] home. [redacted] told the caller he was getting off duty, that he lived near [redacted] and would escort him to the residence. [redacted] met with the caller and under the pretext of wanting to know who he was escorting to a neighbor's home, asked for identification. The individual then exhibited South Dakota Driver's License in the name of [redacted] (brother of the subject). [redacted] described the person identifying himself as [redacted] as 5'6" to 5'8" tall, small tattoo on [redacted] and approximately 25 to 28 years of age. [redacted] was driving a 1974 Dodge Coronet bearing 1977 South Dakota License [redacted] determined above license tag registered on a 1969 Ford to [redacted] Lake Andes, South Dakota. [redacted] observed photograph of subject and advised there was a strong resemblance between the photograph and the person identifying himself as [redacted]

[redacted] HOMART Realty, Butler, Missouri, advised he owns residence on Sunset Drive and that the home is rented to [redacted] and [redacted] [redacted] advised [redacted] is a good tenant and trustworthy.

On July 5, 1976, Mr. and Mrs. [redacted] were interviewed and advised that [redacted] is very open with family affairs. [redacted] told [redacted] last week that her brother, [redacted] had [redacted] and that she was worried about him. Last Friday, [redacted] mother, two sisters and a brother arrived from South Dakota, to visit with [redacted] [redacted] was unaware of the name of the brother.

On June 30, 1976 [redacted]

[redacted] furnished their records concerning the subject and the following information was obtained:

Name
Prisoner Number
Received
From
Convicted Of

[redacted]
Charles Mix County, South Dakota
Count I Third Degree Burglary
and Count II Grand Larceny to
serve three years in prison

Race
Sex
Date of Birth
Place of Birth
Height
Weight
Eyes
Hair
Complexion
Build
Social Security
Number
Relatives

Indian
Male
[redacted]
Wagner, South Dakota
5'5"
134 pounds
Brown
Black
Light
Small

b6
b7C

Wife
Children
Address

Sisters

[redacted]
Father, [redacted]
[redacted] Wagner, South Dakota;
Mother, [redacted]
Wagner, South Dakota

[redacted]
Two
Care of [redacted]
Wagner, South Dakota

[redacted]
All of Wagner, South Dakota;
[redacted] husband
[redacted] Tea, South Dakota;
[redacted] husband
[redacted] City unknown, Missouri;
[redacted] husband
[redacted] City unknown, Nebraska;
[redacted] husband
[redacted] City unknown, Arkansas;
[redacted] husband
[redacted] City unknown, Missouri

Brothers

[redacted]
[redacted] all Wagner
South Dakota; [redacted]
Sioux Falls, South Dakota

On June 30, 1976, [redacted] [redacted]
[redacted] Sioux Falls, South Dakota, furnished letters
written to the subject and found in his cell after his
escape. The following information was obtained from the
return address portion of these letters and the contents
of these letters were not read:

b6
b7C

[redacted]
Wagner, South Dakota

[redacted] (Last Name Unknown)
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted]
Minnehaha County Jail
Sioux Falls, South Dakota

[redacted]
Wagner, South Dakota

Mrs. [redacted]
[redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted]
Appleton City, Missouri

Mrs. [redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

Mrs. [redacted]
[redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted] also furnished a letter which had been
written by [redacted] but never mailed to his sister, [redacted]
This letter was written the day before his escape. For a
P.S. to this letter [redacted] stated that he was going to
be seeing her soon after he returned from Canada.

REPORT
of theFEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: ASAC, Rapid City (70-11609)

July 13, 1976

Re:

FBI FILE NO.

70-68145

LAB. NO.

PC-M7924 NM OI

aka;

RUSSELL MEANS

- VICTIM;

- VICTIM;

CIR / ASSAULT WITH INTENT TO KILL; JDA

Specimens received 5/22/76:

b6
b7C

- Q1. Bullet from clothes of RUSSELL MEANS (1)
- Q2. Metal fragment from impounded Pontiac (2)
- Q3. Metal fragment from [REDACTED] (3)
- Q4. Cartridge case from K4 (8)
- Q5. T-shirt from FRED ZEPHIER (9)
- K1. .22 Caliber High Standard revolver, Serial Number [REDACTED] (4)
- K2. .22 Special caliber INA revolver, Serial Number [REDACTED] (5)
- K3. .30 Carbine caliber National Ordinance carbine, Serial Number [REDACTED] (6)
- K4. .22 Caliber Ithaca rifle, Serial Number [REDACTED] (7)

ALSO SUBMITTED;

Four latent lifts (10)

Page 1

Result of examination:

Specimen Q1 is a .22 Long Rifle lead bullet which was fired from a barrel which produces rifling impressions like the barrels of the K1 and K4 weapons. However, specimen Q1 does not contain sufficient microscopic marks of value for identification purposes. Nothing was found to indicate that specimen Q1 had been fired from K1 and because of the lack of microscopic marks in Q1 it was not possible to determine if it had been fired from K4.

Specimens Q2 and Q3 are lead fragments which have no remaining bullet characteristics. Therefore, it was not possible to determine if Q2 or Q3 originated from a bullet which was fired by any of these submitted weapons.

The Q4 cartridge case was identified as having been fired in the K4 rifle.

Group "O" human blood was identified on Q5.



FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

YOUR FILE NO. 70-11609

June 15, 1976

FBI FILE NO.

LATENT CASE NO. B-31423

TO: ASAC, Rapid City

RE:

[REDACTED]
ET AL.;

RUSSELL MEANS - VICTIM

[REDACTED] - VICTIM

CIR. - ASSAULT WITH INTENT TO KILL; JDA

REFERENCE: Airtel 5-18-76

EXAMINATION REQUESTED BY: Rapid City

SPECIMENS: K1, .22 caliber revolver
K2, .38 caliber revolver
K3, .30 caliber Carbine
K4, .22 caliber rifle
Four lifts
Q4, cartridge case

No latent prints of value present or developed on the specimens.

The description and disposition of all specimens are being made subjects of a separate Laboratory report.

Clarence M. Kelley

Clarence M. Kelley, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

FBI/DOJ

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (70-11609) (P)

DATE: 7/9/76

FROM : SA [REDACTED]

SUBJECT: [REDACTED]

ET AL
CIR-ASSAULT WITH INTENT TO KILL
JDA

OO: RAPID CITY

Re Rapid City report of SA WILLIAM R. SCHROEDER,
dated 5/10/76.

Attempts to locate [REDACTED] at Sacred
Heart Hospital, Yankton, South Dakota on 5/5-7/76, met
with negative results.

On 5/13/76, contact with [REDACTED] brother
of [REDACTED] at Federal Courts Building, Sioux Falls, South
Dakota, revealed that he had information that [REDACTED] was on
the Rosebud, South Dakota, Indian Reservation.

Regular contact with CARL MOSER, Sheriff, Yankton
County, Yankton, South Dakota, regarding the location of
[REDACTED] met with negative results.

LEADS

RAPID CITY

AT ROSEBUD, SOUTH DAKOTA

Will through sources on Rosebud Indian
Reservation attempt to locate and interview [REDACTED]
[REDACTED]

2-Rapid City

cmk

(2)



5010-110

198-518-
20-11609-100

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 16 1976	
FBI - MINNEAPOLIS	

Schroeder

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

b6
b7C



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: ASAC, Rapid City (70-11609)

July 13, 1976

From: Director, FBI

FBI FILE NO. 70-68145

Re:

LAB. NO. PC-M7924 NM OI

[Redacted]

[Redacted]

[Redacted]

aka;

b6
b7C

RUSSELL MEANS - VICTIM;

[Redacted] - VICTIM;

CIR - ASSAULT WITH INTENT TO KILL; JDA

Examination requested by: Rapid City

Reference: Letter 5/18/76

Examination requested: Firearms - Chemical Analyses - Fingerprint

Remarks:

You are being separately advised of the results of the requested fingerprint examinations.

No intercomparisons between test bullets and cartridge cases from these submitted weapons with evidence recovered in Resmurs could be conducted as all Resmurs items are in Cedar Rapids, Iowa for trial period.

These submitted items are being returned to Rapid City under separate cover by registered mail.

Enclosures (2) (2 Lab report)

DO NOT INCLUDE ADMINISTRATIVE
PAGE (S) INFORMATION IN
INVESTIGATIVE REPORT

ADMINISTRATIVE PAGE

198-518-
70-11609-99

(Mount Clipping in Space Below)

Man tied to Means shooting escapes

SIOUX FALLS, S.D. (AP) — James Weddell, 20, of Wagner, charged in the May shooting of American Indian Movement (AIM) leader Russell Means, escaped from the South Dakota Penitentiary Saturday.

Weddell was last seen in the prison yard around 1:40 p.m. and used a rope to scale an administration building and leave the grounds, a prison spokesman said.

The spokesman said it appeared Weddell had help from the outside and may have gotten a two-hour headstart before prison officials noticed he was missing.

He was among a group of about 300 prisoners in the yard for recreation at the time of the escape.

Weddell was serving three years on a burglary and grand larceny conviction in a break-in and burglary prior to the takeover of a pork plant in Wagner last year, the spokesman said.

He was facing trial on two counts of assault with intent to kill in the woundings of Means and John Thomas at Wagner May 5.

(Indicate page, name of newspaper, city and state.)

13 ST. PAUL PIONEER
PRESS
St. Paul, Minn.

Date: June 27, 1976
Edition: Morning
Author:
Editor: William Sumner

Character:

or

Classification: 70-11609

Submitting Office: Minneapolis

☐ Being Investigated

198-518-
70-11609-97

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 7 1976	
FBI - MINNEAPOLIS	

b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (70-9926) (P)

DATE: 6/30/76

FROM : SA [REDACTED]

SUBJECT: [REDACTED] - FUGITIVE

ET AL
CIR - ADW; BURGLARY

On 6/30/76, [REDACTED]

[REDACTED] furnished their records concerning subject and the following information was obtained:

b6
b7C

Name	[REDACTED]
Prisoner #	[REDACTED]
Received	[REDACTED]
From	Charles Mix County, South Dakota
Convicted of	Count I Third Degree Burglary and Count II Grand Larceny to serve three years in prison
Race	Indian
Sex	Male
Date of Birth	[REDACTED]
Place of Birth	Wagner, South Dakota
Height	5'5"
Weight	134 pounds
Eyes	Brown
Hair	Black
Complexion	Light
Build	Small
Social Security Number	[REDACTED]
Relatives	Father [REDACTED] [REDACTED] South Dakota Mother [REDACTED] [REDACTED] South Dakota
Wife	[REDACTED]
Children	Two
Address	Care of [REDACTED] and [REDACTED] Wagner, South Dakota
Sisters	[REDACTED] [REDACTED]

all Wagner, South Dakota; 198-518-

70-11609-96

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 30 1976	
MINNEAPOLIS	

Schroeder



5010-110

Rapid City
dlo

1 cc placed in
70-9926

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan - MINNEAPOLIS

Brothers

[redacted] husband [redacted]
Tea, South Dakota;
[redacted] husband [redacted]
City unknown, Missouri;
[redacted] husband [redacted]
City unknown, Nebraska;
[redacted] husband [redacted]
City unknown, Arkansas;
[redacted] husband [redacted]
City unknown, Missouri;
[redacted] all Wagner, South Dakota;
[redacted] Sioux Falls, South Dakota

On 6/30/76, [redacted]

[redacted] furnished letters written to subject and found in his cell after his escape. The following information was obtained from the return address portion of these letters and the contents of these letters were not read:

b6
b7C

[redacted]
Wagner, South Dakota

[redacted] LNU
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted]
Minnehaha County Jail,
Sioux Falls, South Dakota

[redacted]
Wagner, South Dakota

Mrs. [redacted]
[redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted]
Appleton City, Missouri

Mrs. [redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

Mrs. [redacted]
[redacted]
Wagner, South Dakota

[redacted]
Wagner, South Dakota

[redacted] also furnished a letter which had been written by [redacted] but never mailed to his sister [redacted] This letter was written

RC 70-9926

the day before his escape. For a P.S. to this letter [] stated that he was going to be seeing her soon after he returned from Canada.

b6
b7C

Lead to Appleton City, Missouri, set out by nitel 6/30/76.
All other leads being left to discretion of Case Agent.

ARMED AND DANGEROUS.

NR006 MP PLAIN

8:40 PM NITEL 6/30/76 RJG

TO KANSAS CITY

RAPID CITY 70-9926 P

FROM MINNEAPOLIS 70-9926 P

[REDACTED] - FUGITIVE; ET AL, CIR-ADW;
BURGLARY, OO: RAPID CITY (MINNEAPOLIS).

FOR INFO KC, SUBJECT ESCAPED FROM SOUTH DAKOTA
STATE PENITENTIARY, SIOUX FALLS, SD, APPROXIMATELY
1:30 PM, JUNE 26, 1976.

ON JUNE 28, 1976, AN ARREST WARRANT WAS ISSUED FOR
SUBJECT BY U.S. DISTRICT CLERK OF COURT, SIOUX FALLS,
SD, CHARGING SUBJECT WITH TWO COUNTS ASSAULT WITH
A DANGEROUS WEAPON AND ONE COUNT BREAKING AND ENTERING.
BOND SET AT \$2,500 CASH OR SURETY.

b6
b7C

ON JUNE 30, 1976, [REDACTED]

[REDACTED] FURNISHED A LETTER WRITTEN
BY SUBJECT ON JUNE 25, 1976, BUT NEVER MAILED, ADDRESSED
TO HIS SISTER, [REDACTED] (HUSBAND [REDACTED])

[REDACTED] APPLETON CITY, MISSOURI, IN WHICH SUBJECT
STATED HE WOULD BE COMING TO SEE HER SOON (SUBJECT WAS
NOT SUPPOSED TO BE RELEASED UNTIL 1978).

198-578-
70-11609-95

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 30 1976	
FBI - MINNEAPOLIS	

Schroeder

(100 70-11609)

PAGE TWO; MP 70-9926

SUBJECT DESCRIBED AS INDIAN, MALE, BORN [REDACTED]

[REDACTED] AT WAGNER, SD, FIVE FEET FIVE INCHES, 134 POUNDS,
BROWN EYES, BLACK HAIR, SMALL BUILD, TATTOO ON [REDACTED]

[REDACTED] FEDERAL CHARGES PENDING AGAINST SUBJECT
IN CONNECTION [REDACTED] RUSSELL MEANS.

b6
b7C

KANSAS CITY AT APPLETON CITY, MISSOURI, WILL
CONDUCT INVESTIGATION AT [REDACTED] TO LOCATE AND
APPREHEND SUBJECT.

KANSAS CITY NOTE RAPID CITY HAS FILE.

ARMED AND DANGEROUS.

END.

DCW FBI RC FOR TWO TELS CLR AND TKS

NR004 MP PLAIN

7:35 PM NITEL 6/29/76 SLR

TO : DIRECTOR (70-65273)

RAPID CITY (70-9926)

FROM: MINNEAPOLIS (70-9926)

70-11609
- FUGITIVE;

RUSSELL

MEANS - VICTIM; - VICTIM; CIR -BURGLARY; ADW;

OO: MINNEAPOLIS

REFERENCE MINNEAPOLIS URGENT TELETYPES TO THE BUREAU JUNE 27,
1976, CAPTIONED - FUGITIVE; EFP; EM-AIM,"
UNDER MINNEAPOLIS FILE 76-NEW.

b6
b7C

ON JUNE 28, 1976, AUSA, SIOUX FALLS,
SOUTH DAKOTA, ADVISED THAT HE WOULD NOT AUTHORIZE ISSUANCE OF
ESCAPED FEDERAL PRISONER WARRANT AGAINST
INASMUCH AS WAS IN CUSTODY OF STATE OF SOUTH DAKOTA
AS THE TIME OF HIS ESCAPE. ADVISED, HOWEVER, HE WOULD
REQUEST A WARRANT BE REISSUED BASED ON THE INDICTMENT RETURNED
BY FEDERAL GRAND JURY IN SIOUX FALLS, SOUTH DAKOTA, IN 1975,
CHARGING WITH TWO COUNTS OF ASSAULT WITH A DANGEROUS
WEAPON AND ONE COUNT OF BREAKING AND ENTERING.

ADVISED

70-11609-94
SEARCHED
SERIALIZED
JUL 1 1976
FBI - MINNEAPOLIS
Schroeder

RC 70-9926

PAGE TWO

THAT THESE CHARGES ARE STILL OUTSTANDING IN CONNECTION WITH THE

[REDACTED] ANKTON, SOUTH DAKOTA,

ON MAY 5, 1975.

ON JUNE 28, 1976, [REDACTED] U.S. DISTRICT

COURT, SIOUX FALLS, SOUTH DAKOTA, ADVISED THAT THIS DATE AN
ARREST WARRANT WAS ISSUED AND FILED WITH U.S. MARSHALLS, SIOUX
FALLS, SOUTH DAKOTA, CHARGING [REDACTED] WITH TWO
COUNTS OF ASSAULT WITH A DANGEROUS WEAPON AND ONE COUNT OF
BREAKING AND ENTERING IN VIOLATION OF TITLE 18, U.S. CODE,
SECTION 1153. BOND RECOMMENDED \$25,000 CASH OR SURETY.

IN VIEW OF THE FACT THAT AUSA, SIOUX FALLS, SOUTH DAKOTA,
HAS DECLINED TO AUTHORIZE ESCAPE FEDERAL PRISONER WARRANT
AGAINST SUBJECT, MINNEAPOLIS IS CLOSING ITS 76 CASE AND WILL
CONDUCT FUGITIVE INVESTIGATION UNDER ORIGINAL FILE, MINNEAPOLIS
70-9926.

ARMED AND DANGEROUS.

MINNEAPOLIS AT SIOUX FALLS, SOUTH DAKOTA, WILL REVIEW
SUBJECT'S RECORDS AT SOUTH DAKOTA STATE PENITENTIARY AND SET OUT
LOGICAL LEADS.

END

COR PAGE TWO PARA THREE LINE FOUR SHOULD READ ORIGINAL FILE,
RAPID CITY 70-9926.

END

DCW FBI RC CLR AND TKS

PLEASE RETURN TO TALK

b6
b7c

(Mount Clipping in Space Below)

Prisoner escapes in Sioux Falls

SIoux FALLS (AP) — Authorities continued their search Monday for James Weddell, 20, Wagner, who escaped Saturday from the South Dakota Penitentiary here.

Prison officials said Weddell was last seen in the prison yard around 1:40 p.m. and might have gotten a two-hour head start before he was missed. He was among a group of about 300 prisoners in the yard for recreation at the time of his escape.

A spokesman said he used a rope to scale an administration building and leave the grounds. He added that it appeared Weddell had outside help.

Weddell was serving a three-year sentence on a burglary and grand larceny conviction in a break-in and burglary before the takeover of a Wagner pork plant last year. He also faced trial on two counts of assault with intent to kill in the wounding of American Indian Movement leader Russell Means and John Thomas May 5 at Wagner.

Weddell escaped from a county jail before his trial but turned himself in to his attorney when the trial began. He also escaped following his burglary conviction and was at large until his arrest shortly after the Means-Thomas shootings.

(Indicate page, name of newspaper, city and state.)

—PAGE 7

—RAPID CITY
JOURNAL

—RAPID CITY,
SOUTH DAKOTA

Date: June 28, 1976

Edition: FINAL

Author:

Editor: JAMES M. KUEHN

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

SEARCHED *h* INDEXED *h*

SERIALIZED *h* FILED *MAK*

JUN 30 1976

FBI — MINNAPOLIS

Schneider

NR002 MP PLAIN

PM URGENT JUNE 27, 1976 AGL SENT 1230AM JUNE 28, 1976

TO DIRECTOR, FBI

RAPID CITY

FROM MINNEAPOLIS 76-NEW

ATTN: INTD; SPECIAL INVESTIGATIVE DIVISION.

[REDACTED] 70-11609
- FUGITIVE; EFP; EM - AIM.

b6
b7c

[REDACTED] WAS CONTACTED CONCERNING THE ESCAPE OF
CAPTIONED SUBJECT. [REDACTED] ADVISED THAT THE ESCAPE OCCURRED AT APPROX-
IMATELY 1:30 - 1:40PM JUNE 26, 1976. THE ESCAPE WAS BELIEVED
TO HAVE OCCURRED IN THE FOLLOWING MANNER:

CAPTIONED SUBJECT UTILIZED A CONCRETE FRESH AIR VENT WHICH
EXTENDED FROM THE GROUND TO THE TOP OF THE WEST CELL BLOCK. THIS
FRESH AIR VENT HAS A SERIES OF BARRED WINDOWS WHICH EXTEND FROM
APPROXIMATELY TEN FEET FROM THE GROUND TO APPROXIMATELY TWELVE FEET
FROM THE TOP OF THE ROOF OF THE ABOVE MENTIONED CELL BLOCK. [REDACTED]
JUMPED TO THE LOWER PORTION OF THE BARS AND PULLED HIMSELF UP AND
WAS ABLE TO CONCEAL HIMSELF WITH THE COLD AIR VENT FROM THE SIGHT OF
THE TOWER GUARDS. CAPTIONED SUBJECT IS BELIEVED TO HAVE REACHED

198-518-
70-11609-92

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 28 1976	
FBI - MINNEAPOLIS	
Schneider	

(cc to 76-new)

\$

PAGE TWO MP 76-NEW

THE TOP OF THE WINDOW BARRED AREA AND AT THIS POINT RECEIVED SOME ASSISTANCE FROM UNKNOWN INDIVIDUAL WHO WAS ON TOP OF THE ABOVE CELL BLOCK. A ROPE BELIEVED TO BE APPROXIMATELY TWELVE FEET IN LENGTH, WHICH WAS DESCRIBED AS A COTTON CLOTHES LINE ROPE, WAS LOWERED AND AIDED SUBJECT TO SPAN THE TWELVE FOOT AREA FROM THE TOP OF THE BARRED WINDOW TO THE ROOF.

[] STATED THAT [] CROSSED THE WEST CELL BLOCK FROM THE NORTH SIDE TO THE SOUTH AND FASTENED ABOVE MENTIONED ROPE TO A EYELET WHICH IS USED TO ATTACH GUIDE WIRES FOR A ANTENNA. AS [] CLIMBED OVER THE EDGE OF THE SOUTH SIDE OF THE WEST CELL CICK IT IS BELIEVED THAT THE ROPE BROKE AND [] FELL A MINIMUM OF FORTY FEET TO THE GROUND. INVESTIGATING PERSONNEL AT THE ABOVE PRISON STATED THAT THERE WAS A FOUR - FIVE INCH HEEL PRINT WHICH HAD BEEN MADE FROM [] AS HIS FOOT STRUCK THE GROUND. [] IS BELIEVED TO HAVE FALLEN BACK INTO A FLOWER BED. [] THEN IS BELIEVED TO HAVE CROSSED THE AREA ADJACENT TO THE PRISON BY MOVING THROUGH AN AREA WHICH IS HEAVILY TREED AND HAD CROSSED A RESTRAINING WALL WHICH IS APPROXIMATELY THREE FEET IN HEIGHT. AFTER HE WAS ABLE TO REACH THE RESTRAINING WALL HE WAS ABLE TO CONCEAL HIMSELF IN A VERY HEAVILY

b6
b7c

PAGE THREE MP 76-NEW

WOODED AREA WHICH IS CONSIDERED BY PRISON OFFICIALS TO BE A VERY DIFFICULT PLACE TO SEE A MAN.

APPROXIMATELY TEN MINUTES AFTER THE TIME THAT [REDACTED] HAD ESCAPED FROM THE CENTER COURT AREA, AN INMATE CAME INTO THE PRISON INFIRMARY STATING THAT AN INDIVIDUAL HAD GONE OVER THE WALL. THIS INFORMATION WAS IMMEDIATELY DISSEMINATED TO THE GUARDS AND THE ROUTE IN WHICH [REDACTED] HAD TRAVELED WAS SEARCHED BY PRISON OFFICIALS WITH NEGATIVE RESULTS. APPROXIMATELY FIVE HOURS LATER A DOG WAS OBTAINED TO ATTEMPT TO OBTAIN [REDACTED] SCENT. THE TRACKING DOG WAS ABLE TO FOLLOW [REDACTED] SCENT FOR APPROXIMATELY ONE HUNDRED YARDS FROM THE ABOVE MENTIONED RESTRAINING WALL AND AT THAT POINT LOST IT.

b6
b7c

[REDACTED] CONTINUED BY SAYING THAT [REDACTED] HAD BEEN VERY OBEDIENT PRISONER AND HAD NO PROBLEM WITH THE PRISON POPULATION. RECENT VISITORS TO [REDACTED] WAS KNOWN WIFE [REDACTED] AND MOTHER-IN-LAW

[REDACTED] ON JUNE 23, 1976, AND A BROTHER ON JUNE 24, 1976. [REDACTED] ADVISED THAT PERSONAL EFFECTS AND MAIL OF [REDACTED] INDICATED THAT A BREAK HAD BEEN PLANNED.

ABOVE MENTIONED ROPE WHICH AIDED [REDACTED] WAS BELIEVED TO HAVE BEEN ROPE WHICH HAD BEEN UTILIZED IN THE CAPACITY OF SECURING ANTENNAS ON THE ROOF OF THE WEST CELL BLOCK AND WAS IN A CONDITION OTHER

PAGE FOUR MP 76-NEW

THEN SAFE DUE TO AGE AND WEATHERING.

MINNEAPOLIS AT SIOUX FALLS. INVESTIGATION CONTINUING AND PERSONAL
EFFECTS AND MAIL WITH LOGICAL LEADS BEING SENT.

ADMINISTRATIVE:

RE MINNEAPOLIS TEL JUNE 27, 1976; BUREAU TELCALL TO MINNEAPOLIS
JUNE 27, 1976.

END.

RC CLRVLJ VLH

NR001 MP PLAIN

P512PM URGENT JUNE 27, 1976 AGL

TO DIRECTOR, FBI

RAPID CITY

FROM MINNEAPOLIS 76-NEW

*70-11609**
[REDACTED] - FUGITIVE; EFP; EM - AIM.

SUBJECT ESCAPED FROM SOUTH DAKOTA STATE PENITENTIARY, SIOUX FALLS, SOUTH DAKOTA, JUNE 26, 1976. SUBJECT WAS BEING HELD BY STATE OF SOUTH DAKOTA FOR U.S. MARSHALS SERVICE AS A RESULT OF CHARGES FILED AGAINST [REDACTED] RUSSELL MEANS, AMERICAN INDIAN MOVEMENT LEADER, ON YANKTON SIOUX INDIAN RESERVATION, MAY, 1976.

INVESTIGATION BEING CONDUCTED AT SCENE OF ESCAPE AND ALSO IN VICINITY OF SUBJECTS HOME AREA OF WAGNER, SOUTH DAKOTA, YANKTON SIOUX INDIAN RESERVATION.

SIOUX FALLS AT SIOUX FALLS, SOUTH DAKOTA, CONTINUE FUGITIVE INVESTIGATION IN VICINITY STATE PENITENTIARY.

PIERRE AT WAGNER, SOUTH DAKOTA, MAINTAIN COVERAGE SUBJECTS HOME.

ADMINISTRATIVE:

RE MPTEL ENTITLED "BICENT. EM-AIM", MAY 28, 1976; RE MPTEL

ENTITLED [REDACTED]

[REDACTED] RUSSELL MEANS-VICTIM; [REDACTED]

[REDACTED] VICTIM; CIR - ADW; MPFILE 76-11609".

END.

RC CLR VLH

SEARCHED *met* INDEXED *met*
SERIALIZED *met* FILED *met*

JUN 27 1976

Schneider

198-518-91

(1cc to 76-new)

b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (70-11609)

FROM : SAC, PORTLAND (70-2195) (RUC)

SUBJECT: [REDACTED]

DATE: 6/21/76

ET AL
RUSSELL MEANS - VICTIM;
[REDACTED] - VICTIM;
CIR - ADW
(OO: Rapid City (Minneapolis))

Re Rapid City teletype to the Bureau and interested offices entitled "UNSUB; RUSSELL CHARLES MEANS - VICTIM; [REDACTED] - VICTIM; CIR - ASSAULT," dated 5/5/76.

b6
b7C
b7D

For information, [REDACTED] advised he received information that the shooting of MEANS was a result of arguments between RUSSELL MEANS and his followers and the followers of DENNIS BANKS. The cause of the arguments was unknown.

Other Portland sources active in militant Indian matters contacted with negative results.

An information copy is being furnished to Minneapolis in view of their investigative interest.

- ② - Rapid City (70- [REDACTED]) (RM)
1 - Minneapolis (157-1460) (RM) (Info)
1 - Portland

WCB:jtl
(4)



5010-108

198-518-
70-11609-90

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 22 1976	
FBI - MINNEAPOLIS	

Schroeder S

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

**REPORT**

of the

IDENTIFICATION DIVISION**LATENT FINGERPRINT SECTION**

YOUR FILE NO. 70-11609

June 15, 1976

FBI FILE NO.

LATENT CASE NO. B-31423

TO: ASAC, Rapid City

RE:

[REDACTED]
ET AL.;

RUSSELL MEANS - VICTIM

[REDACTED] - VICTIM

CIR - ASSAULT WITH INTENT TO KILL; JDA

REFERENCE: Airtel 5-18-76

EXAMINATION REQUESTED BY: Rapid City

SPECIMENS: K1, .22 caliber revolver
K2, .38 caliber revolver
K3, .30 caliber Carbine
K4, .22 caliber rifle
Four lifts
Q4, cartridge case

No latent prints of value present or developed
on the specimens.

The description and disposition of all
specimens are being made subjects of a separate
Laboratory report.

Clarence M. Kelley
Clarence M. Kelley, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

198-518-

~~70-11609-~~ 89

FBI/DOJ

b6
b7C

FBI

Date: 5/28/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Precedence)

TO: DIRECTOR, FBI (100-462483)
FROM: SAC, ST. LOUIS (100-22315) P
SUBJECT: AMERICAN INDIAN MOVEMENT
EM - AIM
OO: MP

Re St. Louis airtel to Bureau, 4/21/76; Minneapolis airtel to Bureau, 5/10/76; Minneapolis letter to St. Louis, 5/18/76, captioned [REDACTED]

There is no AIM Chapter in the St. Louis area, however, on April 20, 1976, [REDACTED] advised that an organization called the "Native American Solidarity Committee" is organized in St. Louis and is raising funds for the defense of AIM. Source furnished the names of [REDACTED] and [REDACTED] as being affiliated with this organization.

St. Louis is continuing a preliminary investigation of this organization as requested by Bureau.

On 5/25/76, the same source advised he had no further information regarding the shooting of RUSSELL MEANS and the basis of his allegation that the [REDACTED] were involved was obtained through a relative or source's at Pine Ridge, South Dakota, whom source considers extremely reliable.

2 - Bureau
4 - Minneapolis (2) - 157-1458
(2) - 70-11609
2 - Rapid City
2 - Kansas City
2 - St. Louis
RJN:sfm
(12)

198-518.
70-11609-88

SEARCHED	INDEXED
SERIALIZED	FILED

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

SL 100-22315

LEADS:

KANSAS CITY:

AT KANSAS CITY, MO.:

Will check indices on names furnished as requested
in referenced St. Louis airtel dated 4/21/76.

RAPID CITY:

AT RAPID CITY, SOUTH DAKOTA:

Will complete same lead as set forth for Kansas
City.

SAC, ST. LOUIS (100-22315)

5/27/76

ASAC, RAPID CITY

AMERICAN INDIAN MOVEMENT

EM

OO: MINNEAPOLIS

Re St. Louis airtel to ASAC, Rapid City, dated 5/12/76.

A review of RC 70-11609, entitled [REDACTED]

[REDACTED] aka; RUSSELL MEANS - VICTIM; [REDACTED]
[REDACTED] - VICTIM CIR - ADW; JDA, OO: RAPID CITY, reveals
that [REDACTED] is not known to be involved in this matter.

RUSSELL MEANS and [REDACTED] both in signed
statements made no mention of [REDACTED] nor indicated in any
way that any [REDACTED] was involved.

On 5/18/76, Special Agents in the Pierre, South
Dakota Resident Agency were contacted concerning referenced
airtel and advised no information has been developed even
remotely involving any [REDACTED] to date.

It is recommended that future contact with [REDACTED]
wherein source provides information concerning the MEANS -
[REDACTED] shooting, be dealt with most circumspectly.

[REDACTED] father of [REDACTED] not being
contacted in this matter inasmuch as there is no logical
reason for such contact.

3 - [REDACTED]
1 - Minneapolis (157-1435)
② - Rapid City (1 - 157-1452). ① - 70-11609)

RRG:jly

(6) jly

Searched _____
Serialized e
Indexed _____
Filed

198-518-
70-11609-87

[REDACTED]

Cover Sheet for Informant Report or Material
FD-306 (Rev. 9-30-69)

Date prepared

5/19/76

Date received
5/10/76 and
5/14/76

Received from (name or symbol number)

Received by

SA

Method of delivery (check appropriate blocks)

☒ in person ☒ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated 5/19/76

Transcribed 5/19/76

Authenticated
by Informant

Date of Report

5/19/76

Date(s) of activity

Brief description of activity or material

Assault on RUSSELL MEANS and

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____.

Remarks:

(1)- 70- 11609
mas
MAE

1*

Block Stamp

198-518-
70-11609-86

SEARCHED _____ INDEXED _____
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1976

MP 70-

ASSAULT ON RUSSELL MEANS AND [REDACTED]

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b7C

It was learned that the incident involving the assault of RUSSELL MEANS and [REDACTED] in Wagner, South Dakota, recently was an incident that occurred within the movement, that is the American Indian Movement (AIM). The circumstances of this shooting were: MEANS and [REDACTED] were driving on a road when they heard shooting. It is alleged that they left their automobile and stated to those doing the shooting, Why don't you shoot at us if you want something to shoot at and they then laid on the ground. Thereafter, [REDACTED] and subsequently hospitalized.

This information was learned the day after the shooting from the spouse of an AIM sympathizer.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 10, 1976

RUSSELL MEANS was interviewed at the Sacred Heart Hospital, was apprised as to the identities of the interviewing Agents and the purpose of the interview by Special Agent (SA) [redacted] at which time he provided the following information:

He saw the Sioux City (Iowa) Newspaper last night which showed [redacted] and the other "guy" who shot him [redacted]. He mentioned there were four photographs and asked "Where's the other guy?" SA [redacted] explained the fifth individual was a juvenile and a juvenile was handled differently than an adult in a case such as this.

b6
b7C

Interviewed 5/7/76 at Yankton, South Dakota File # 798-516-81
by SA [redacted] :arw Date dictated 5/10/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

RUSSELL MEANS was interviewed at the Sacred Heart Hospital, was advised as to the identities of the interviewing Agents and the purpose of the interview by Special Agent (SA) [redacted] at which time he provided the following signed statement:

"5/7/76
"Yankton, SD

"I, RUSSELL MEANS, make the following voluntary statement to [redacted] and [redacted] who have identified themselves to me as agents of the FBI. Agent [redacted] has told me the purpose of the interview. No threats or promises have been made.

"Late Tuesday night I was contacted to have a meeting with many young people and [redacted]. The date was 5/4/76 in the housing in Wagner, SD. Later that night we were told the meeting place had been changed to the [redacted] residence next to [redacted] residence. Upon arrival there many young people in the house, all around 18 or 20 years old and they had been drinking. [redacted] We noticed they were drinking 3.2 per cent beer. After sitting down and talking to them as to the Indian - White relationship and what should be done, [redacted] walked into the kitchen. It was around midnight. [redacted] had, in 1974, with some of his friends, [redacted] and subsequently [redacted]. Subsequent to that [redacted] and about 15 of his friends had [redacted]. Also had previously [redacted]. In view of this we told everyone there better leave or there would be trouble left.

Interviewed on

5/7/76

Yankton, South Dakota

File #

198-518-
RC-70-11609-20

by

S
S

arw

Date dictated

5/7/76

"We continued our discussion. Some of the young guys pulled out a .22 rifle and a .22 pistol. We, [redacted] & I, thought we'd better leave. We got up to leave and [redacted] had what I believed to be a .22 caliber rifle and [redacted] had what I believed was a .22 caliber hand gun. At that point [redacted] for a while and they were making fun and poking at us. Someone then said "take them out of the house, we can't do anything to them in the house." They then marched us out of the house at gunpoint to the driveway opposite [redacted] house. Just prior to this [redacted] and [redacted] cocked their guns so I knew they weren't fooling around. After forcing me to sit on the driveway they began to kick me [redacted] then made a run for it to get help [redacted] at this point had two revolvers in his hand, both cocked. [redacted] said "you take care of him and I'll get this one" meaning [redacted] I was watching the man with the rifle, [redacted] as he backed across the street onto the grass. [redacted] had the rifle pointed at me. I heard a shot and I was hit by [redacted]. I heard another shot but I don't know who fired it. [redacted] then ran.

b6
b7C

"I called for [redacted] who was at the [redacted] residence. [redacted] crawled to the [redacted] residence. [redacted] and [redacted] came to my aid and the next thing I recall an ambulance came.

"I don't know why they shot me except for the fact that they are against AIM and the [redacted] family and that the [redacted] and [redacted] dislike them. I think they set me up and I think [redacted] had something to do with it. [redacted] and [redacted] knew we were having a treaty meeting with the Superintendent and that it was a set up.

"I don't recall any other shots being fired except the two. I believe we were meant to be killed. Earlier that night there had been firing around the house. The night before there had been firing around the house.

"By the way, earlier that night a young fellow shot a shotgun which almost hit me. The shotgun blast went within six inches of my face.

"While we were in the house they were calling [redacted]. And I was told [redacted] name in the house. I feel I could positively identify [redacted] and [redacted] in court.

b6
b7C

[redacted] was about 6'1", slim, wavy hair, shoulder length, around 21 years of age, sharp features in the face.

[redacted] was short, stocky, baby face, slight mustache, very young and innocent looking, with choppy hair but not as long as [redacted]

[redacted] had black hair; I think [redacted] had dark brown hair.

"I would like a complete investigation into [redacted] involvement.

"I now sign this statement that consists of four pages.

"/s/ 5-7-76 RUSSELL MEANS

"Witnessed: [redacted] Special Agent-FBI.
[redacted] SA, FBI, 5/7/76"

He feared alterations may be made to the statement and requested a copy.

In the presence of [redacted] of RUSSELL MEANS, three copies of the statement were reproduced on the hospital Xerox machine and made available to him [redacted] [redacted].

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] was interviewed in Room Number 11, Sacred Heart Hospital, Yankton, South Dakota, and he provided the following information:

[redacted] was asked if he would be willing to write a signed statement regarding the events surrounding [redacted] on May 5, 1976. [redacted] who has [redacted]

[redacted] because of [redacted] [redacted] acknowledged by a nod of his head that he would not be willing to give a signed statement. He communicated by [redacted] that he would be agreeable to provided a signed statement regarding his shooting to the FBI some time next week (that week being May 10 - 14, 1976). As such Mr. [redacted] was told that the FBI would approach him next week and obtain a signed statement regarding his knowledge of the events of May 5, 1976.

It should be noted that [redacted] appeared to be heavily sedated.

Interviewed on 5/7/76 at Yankton, South Dakota File # 198-518-79
by SA [redacted] arw Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] Sacred Heart Hospital, Yankton, South Dakota, was interviewed and he provided the following information:

[redacted] advised that at approximately 6 a.m. on May 5, 1976, RUSSELL MEANS and [redacted] were brought by ambulance to Sacred Heart Hospital after having allegedly [redacted] earlier that morning in Wagner, South Dakota. [redacted] stated that MEANS and [redacted] had received preliminary emergency treatment at a Wagner Hospital before being transferred to Sacred Heart Hospital in Yankton. [redacted] said that MEANS [redacted] were received in the emergency room at Sacred Heart Hospital where preliminary examination revealed that MEANS had received a gunshot wound in the abdomen and [redacted]

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[redacted] continued that both men were listed in serious condition upon their admittance to Sacred Heart Hospital. He added that a Dr. [redacted] was the attending physician who conducted initial examinations of MEANS and [redacted] upon their admittance to the emergency room. [redacted] further advised that a Dr. [redacted] surgeon at Yankton Clinic, Yankton, South Dakota, would perform surgery on both MEANS and [redacted]

[redacted] continued that upon completion of surgery for both men, they would be confined to the Intensive Care Unit at Sacred Heart Hospital until such time as they had recovered from post-operative sedation.

Interviewed on 5/5/76 at Yankton, South Dakota File # 198-518-78
by SA [redacted] SA [redacted] dlo Date dictated 5/6/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

Doctor [redacted] stated that he had just completed exploratory surgery on [redacted] Doctor [redacted] was able to determine that the point of entry of the bullet which had struck [redacted]

[redacted]
of [redacted] Doctor [redacted] further advised that the bullet itself had fragmented and a portion of the bullet had been removed from the [redacted] At the time of the removal of the above bullet fragment, Doctor [redacted] gave it to Doctor [redacted]

Doctor [redacted] stated that [redacted] was in stable condition after surgery had been completed.

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Interviewed on 5/5/76 at Yankton, South Dakota File # 198-518-
by S. [redacted] amj Date dictated 5/6/76
RC 70-14609-77

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

Doctor [redacted] surgeon of the Yankton Clinic, 400 Park Street, Yankton, South Dakota, provided the following information:

Doctor [redacted] advised that he had just completed an exploratory surgery on RUSSELL MEANS and his findings were as follows:

Doctor [redacted] stated that RUSSELL MEANS had a bullet wound in the lower rib cage area. The bullet was believed to have entered from the front of RUSSELL MEANS and had traveled through the muscle tissue and had exited near his left flank. Doctor [redacted] further advised that he did not find a bullet in RUSSELL MEANS and stated that after surgery had been completed that his condition was stable.

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Interviewed on 5/5/76 at Yankton, South Dakota File # 198-516-
RC-70-14609-76
by SA [redacted] /amj Date dictated 5/6/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

Doctor [redacted]
Sacred Heart Hospital, Yankton, South Dakota, furnished
the following information:

Doctor [redacted] provided a portion of what was
believed to be a bullet which had been taken from the
soft tissue on the right side of [redacted]. The
above portion of what was believed to be a bullet was
given to Special Agent (SA) [redacted] for evidentiary
purposes.

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Doctor [redacted] stated that at the time of
arrival of RUSSELL MEANS at the Sacred Heart Hospital at
Yankton, South Dakota, and after RUSSELL MEANS was removed
from the stretcher in which he was brought into the above
hospital on, three unfired bullets were found which were
believed to have come from the clothing of RUSSELL MEANS.
Doctor [redacted] stated that one of the three live rounds were
found on the stretcher after RUSSELL MEANS was removed
from it. One round was located on the floor beneath the
stretcher and the third round had been picked up from the
floor by an attending nurse and was placed into the pocket
of Doctor [redacted] at the time when RUSSELL MEANS was removed
from the stretcher.

Interviewed on 5/5/76 at Yankton, South Dakota File # 198-518-RC-70-11609-75
by SA [redacted] amj Date dictated 5/6/76

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (P)

DATE: 5/14/76

FROM : SA [REDACTED]

SUBJECT: SA [REDACTED]
MISCELLANEOUS INFORMATION CONCERNING
(OO: MINNEAPOLIS)

On 5/11/76, SA's [REDACTED] and [REDACTED] interviewed RUSSELL MEANS, AIM Leader, and [REDACTED] at the Sacred Heart Hospital, Yankton, South Dakota, in connection with [REDACTED] of 5/5/76 (MP File 70-11609). MEANS and [REDACTED] were located in adjoining beds.

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[REDACTED] volunteered that "Agent [REDACTED] hates AIM and Indians" and he questioned why the FBI has kept [REDACTED] at "Pine Ridge".

MEANS, who was listening to [REDACTED] added "Yea, especially after last June".

SA's [REDACTED] and [REDACTED] did not ask [REDACTED] and MEANS to elaborate and the subject was dropped.

This information is being sent to ASAC, Rapid City, South Dakota, for whatever action he deems necessary.

② - Rapid City

[REDACTED] mj

(2)

[Handwritten signature]



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

198-518-
20-11609-74

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 14 1976	
FBI - MINNEAPOLIS	

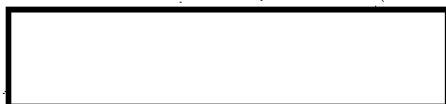
[Handwritten signature]

[REDACTED]

RECORD OF INFORMATION FURNISHED OTHER AGENCIES

Orally 5/19/76 By Telephone _____ Written Communication _____
date date date

Information concerning:

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Information furnished from File, Serial, and Page Number:

70-11609

Information furnished was obtained:

☒ during course of Bureau investigation.☐ from informants☐ from complainants or other source

Information furnished to:

Deputy U.S. Marshal
 Sioux Falls, SD

Number of items disseminated: 1

Remarks:

 advised he transported to the state penitentiary 5/18/76 and stated he wished to be a FBI & state informant. told him he was anti-AIM & that AIM planned the following:

1. Bombing of federal buildings in South Dakota
2. Sniping on Interstate highways in South Dakota.

 said dog soldiers were arriving from Canada for "hit & run" tactics and the set-up for these incidents will be 7/1, 7/2 & 7/3/76. also said he knew where a limited amount of guns were hidden. advised he notified the Attorney General's Office, State of South Dakota, on 5/18/76, regarding the above. as an informant, was told we could not operate pending federal indictment in keeping with Bureau policy (due to). Rapid City RA notified of the above on 5/19/76. AUSA R.D. HURD, Sioux Falls, SD, contacted 5/19, 20 & 21/76. HURD advised the contact of would not jeopardize his case (70-11609) if only was interviewed with the intention of accepting only desired to volunteer. 70-11609-73

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MAY 24 1976

SCHROEDER

① 70-11609
 1-157-4321
 1-157-1458
 1-66-3207A

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] Indian male, date of birth [redacted] at Pine Ridge, South Dakota, 5'10" tall, 165 pounds, was contacted at his residence and interviewed concerning his knowledge of the shooting incident involving RUSSELL MEANS on May 5, 1976.

[redacted] advised that he is employed as a Bureau of Indian Affairs (BIA) Patrolman in Pine Ridge, South Dakota.

[redacted] advised that on Monday evening [redacted] came over from Mission, South Dakota, to visit [redacted] at Manderson. [redacted] then indicated that he and [redacted] departed in [redacted] 1961 blue Ford pickup approximately 12:30 a.m. on Tuesday morning en route to Avon, South Dakota. [redacted] advised that they arrived and checked into a motel in Avon around 10:30 a.m. and that at that time [redacted] had indicated to [redacted] that they were going to stop at some friend's residence names unrecalled. [redacted] also advised that [redacted] himself and an unknown female went over to Wagner, South Dakota, located approximately 16 miles from Avon on Tuesday evening around 11 to 11:30 p.m. He stated that [redacted] stopped and talked to some girls, names unrecalled, near a liquor store near the housing in Wagner. He also advised that the three of them went over to a residence where a meeting was taking place and as they walked inside they observed six women and seven males seated around a table discussing some matter. [redacted] advised that he recognized one of the individuals as being [redacted] and also observed RUSSELL MEANS near the table. [redacted] indicated that the meeting discussion immediately ceased and that [redacted] attempted to tap RUSSELL MEANS on the shoulder in an effort to get his attention and shake hands. [redacted] thinks he overheard [redacted] indicate to MEANS "How are you doing RUSS?" [redacted] also advised that he observed a small caliber probably a .32 caliber automatic on the table between [redacted] and MEANS after [redacted] had tapped MEANS on the shoulder. MEANS immediately got up from the table and grabbed the .32

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Interviewed on 5/8/76 at Manderson, South Dakota File # 198-518-72
by SA JOHN ROBERT MUNIS SA [redacted] arw Date dictated 5/8/76

caliber automatic weapon and pointed it at [REDACTED] [REDACTED] said that he could not recall the exact context of the conversation between [REDACTED] and MEANS but there was some indication it involved previous fighting incidents between MEANS and [REDACTED]. [REDACTED] further stated that he believed the weapon was closer to MEANS at the time he first observed it lying on the table. [REDACTED] also indicated that MEANS wanted to take [REDACTED] outside but it was [REDACTED] opinion that [REDACTED] was afraid of the gun and at approximately this time, an individual by the name of [REDACTED] stood up between [REDACTED] and RUSSELL MEANS and attempted to break up the fight. [REDACTED] stated that he immediately went out the front door and that [REDACTED] exited through the back door and that both of them went to [REDACTED] pickup and went to Avon, South Dakota. [REDACTED] also advised that prior to leaving for Avon, they went to visit two BIA policemen on the Pine Ridge Indian Reservation who were on special assignment at Wagner, South Dakota. [REDACTED] indicated that these two individuals were [REDACTED] and [REDACTED]. [REDACTED] indicated that these two individuals were staying in a motel located on the road to Avon coming from Winner, South Dakota. [REDACTED] advised that he met a female [REDACTED] (phonetic) [REDACTED] at the motel and that he and [REDACTED] and the female proceeded to Avon where [REDACTED] let [REDACTED] and another female, name unrecalled, out of the pickup. [REDACTED] stated that he and [REDACTED] went back to Wagner, South Dakota, arriving at approximately 4:30 a.m. on Wednesday and indicated that he heard from a female First Name Unknown [REDACTED] that RUSSELL MEANS had been shot. [REDACTED] stated that this was the first he had heard of the shooting and was not present in Wagner at the time of the shooting incident. [REDACTED] further advised upon conversation with [REDACTED] after the incident involving RUSSELL MEANS [REDACTED] advised [REDACTED] that he [REDACTED] was actually involved in several fights with RUSSELL MEANS, two of which were in Valentine, Nebraska, and Mission, South Dakota.

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Means Shooting Blamed on Government and FBI

By Dale Bruget
Journal Correspondent

YANKTON, S.D. — The state and federal governments and the FBI are to blame for the shooting incident which injured AIM leader Russell Means and AIM member John Thomas at Wagner this week, AIM spokesmen charged Friday.

In an AIM-arranged press conference at Sacred Heart Hospital, Means' brother, Ted Means of Rapid City, and AIM coordinator Greg Zepher of Wagner presented a formal statement and answered questions.

A preliminary hearing is set Tuesday in Sioux Falls for five persons charged in the shootings. James Weddell, 19, and Michael Weston, 18, both of Wagner, are charged with assault with intent to kill. Gerald Black Elk, 18, Rapid City, and Terry Provost, 23, Lake Andes, are charged as accessories after the fact. A 17-year-old juvenile also has been charged as an accessory after the fact.

Ted Means said AIM conducted an investigation into the shooting of Russell Means and Thomas and found that "several Indian persons have been paid by the FBI to incite and provoke acts of violence against Indian people and organizations."

Russell Means is at the top of a list of people targeted "for this kind of illegal activity," he said.

Ted Means cited several instances in 1974 and 1975 in which his brother was attacked, shot, or shot at, naming Edward John Fuller of Mission, S.D., as an assailant in some of the incidents.

Ted Means said Fuller was seen leaving the Lois Tiger residence in Wagner last Tuesday evening and proceeding to the Weston residence. A few hours later, Russell Means and Thomas were asked to come to the Weston residence to discuss certain matters, he said.

Ted Means said the occupants "had obviously been drinking." He said Fuller came back to the house and was asked to leave after a verbal confrontation. Afterwards, he said, there was another confrontation with Weston and Weddell.

"Realizing the mental state of Weston and Weddell, Russell and John attempted to leave," said Ted Means. "At that point weapons were pulled by Weston and Weddell. A shotgun blast was fired near Russell's head. They were then ordered outside and shot at

close range in an execution attempt."

Ted Means also charged South Dakota Atty. Gen. William Janklow with racism and bias and said Janklow "elevates himself above the legislature and judges of this state."

Means said that the Wagner incident Wednesday was just another example of the way the "government works" to discredit the Indians' efforts to obtain justice and to reach goals.

"Russell and John were set up," Means said. "The attackers were used as pawns in a very sophisticated plan by the FBI; they are not now nor have they been previously involved in the Indian movement."

Asked whether personal animosity might have brought on the attack as an unplanned act, rather than an attempted murder, Means said that Weddell and Weston "had been drinking," but he was interrupted by an emotional outcry from Thomas' mother.

"Wouldn't you believe it was an assassination attempt when they shot Russell and John the way they did?" she asked.

Ted Means said his people believe (or know) that others besides those named were involved with the Wagner incident. They are known, he said, and will be "dealt with the Indian way."

Asked what that "way" is, he said, "Being non-Indian, you wouldn't understand, but they will be ostracized, for one thing."

Reluctant to comment at length about Dennis Banks' recent comments from Oregon, where he faces extradition, Ted Means declared "there is no split" between the two leaders, explaining that the implications to that effect are due to "the press twisting Banks' remarks."

He said "definitely not" when asked if the Wagner shooting might be a result of disagreement between Banks and Means.

Ted Means noted that since 1973 there have been more than 200 violent deaths on South Dakota Indian reservations.

"I'm saying that the federal and state governments are responsible for those more than 200 Indian deaths," he repeated. "The FBI creates violent situations; divide and conquer is their motive."

The Wagner incident took place during a meeting for the coordination of the approaching International Indian Treaty Conference.

An AIM spokesman at the hospital Friday said that the conference, to be held at Greenwood June 13-20, is expected to attract between 7,000 and 10,000 Indians. Tribal chiefs, elders, spiritual leaders and others will discuss strategy for obtaining treaty rights, he said.

Plans for the June event are being worked out by members of the Yankton Sioux Tribe, Don Loudner, BIA superintendent and others. Russell Means was in Wagner to help.

Indian spokesmen at the hospital declared that Means was not in violation of his bond restrictions in participating in the planning session.

"Russ will continue to be involved, reporting to Sioux Falls every 60 days according to court order," his brother said.

Ted Means rounded out the press conference saying, "We've been offering solutions to the government for the Indian problems. It is up to the government to listen to the Indian people and respond by creating positive changes."

"Do the Indian people mean violence when they say they are going to blow out the candles on the birthday cake of the U.S. this bicentennial year?" he was asked.

Before Means had an opportunity to reply, a woman's voice rang out of the ranks of the spectators. "Ours were blown out 200 years ago."

Tension at Sacred Heart Hospital was de-escalating Friday. A city police officer kept watch at the single entrance door which remained unlocked. Ron Morton, hospital administrator, made arrangements for the AIM-called news conference, noted that there were "a lot of visitors." He said hospital functions were proceeding excellently. Yankton City Manager Cliff Stockmeyer says that the city and county authorities have had the utmost cooperation from AIM representatives during the hospitalization of Means and Thomas.

Ted Means, at the forenoon press conference, praised Yankton city and county authorities for their "fine cooperation."

The two shooting victims were reported in "good" condition Friday.

"There was no violation of vital organs," a hospital spokesman said, "and post-operative care is progressing normally. Barring any unforeseen complications, the men's physician would expect that they be discharged from the hospital within a week or so."

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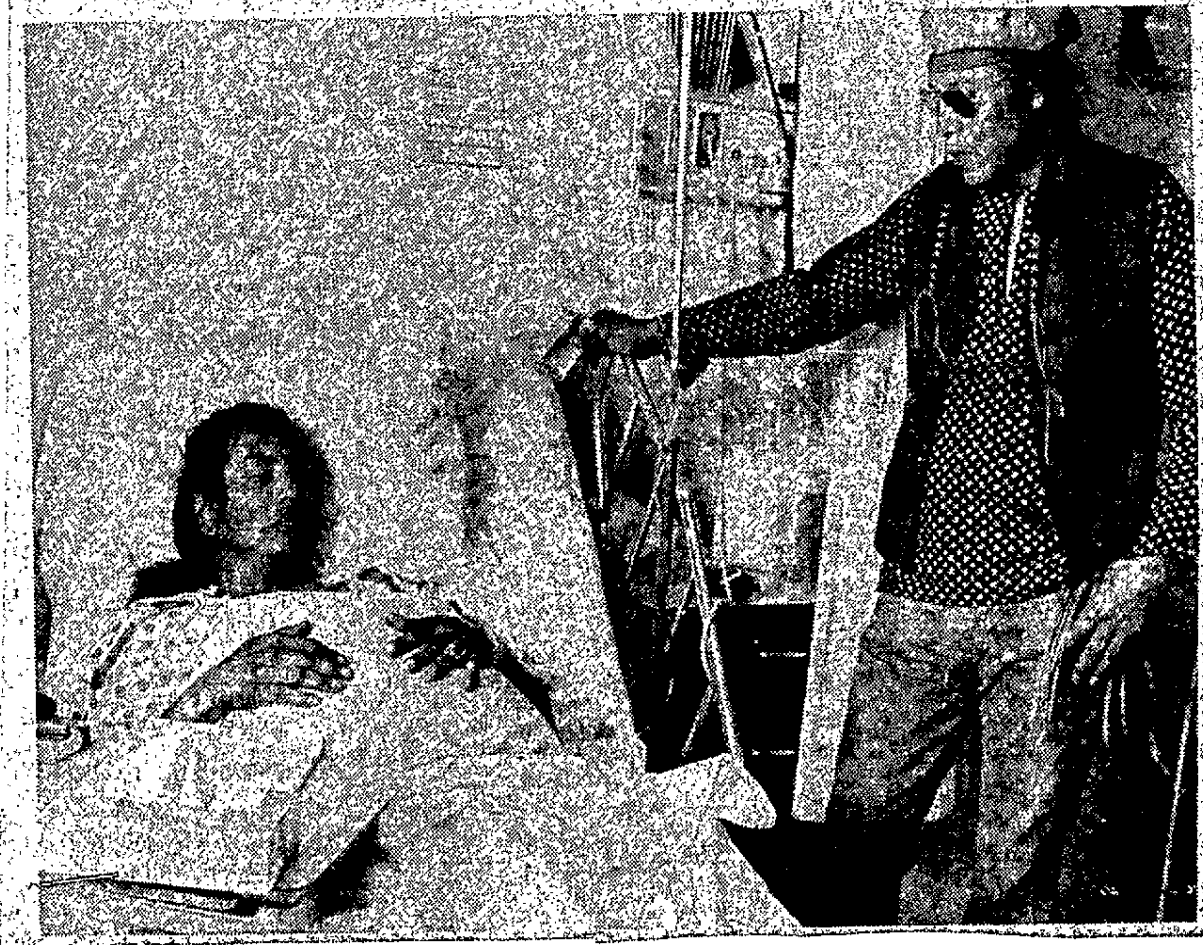
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MINNEAPOLIS



AIM Leaders

Above, Ted Means, left, and Greg Zephier answer questions from news media after a press conference Friday in Yankton, S.D. Below, Zephier talks with the wounded Russell Means in a Yankton hospital. (Photos by Bruget, Journal correspondent)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] Indian female, after being advised of the identities of the interviewing Agents, was interviewed in the presence of her mother [redacted] regarding any knowledge she might have regarding [redacted] RUSSELL MEANS [redacted] [redacted] stated that she saw nothing and that she knows nothing. She denied being at any party with RUSSELL MEANS [redacted] during the previous evening.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-69
by SA's [redacted] [redacted] [redacted] dl 5/7/76
Date dictated

FEDERAL BUREAU OF INVESTIGATION

5/7/76

Date of transcription

[redacted] Indian female, mother of [redacted]
[redacted] after being advised of the identities of the inter-
viewing Agents, denied any knowledge of [redacted]
RUSSELL MEANS [redacted] She told the interviewing
Agents that she did not feel like answering any questions
of the Agents and ordered them out of her house.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-
by SA's [redacted] d1 5/7/76
dictated

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] Indian male, was contacted at the residence of [redacted] and after interviewing Agents identified themselves, he was interviewed regarding any knowledge he may have regarding [redacted] RUSSELL MEANS [redacted]

[redacted] denied having any knowledge regarding the shooting and stated that he was not at any party the previous evening. In addition, he stated he did not hear any shots fired during the evening. He claimed he was at the [redacted] residence.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
by SA's [redacted] BC 70-11609 67
ed 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] was advised of the identity of the interviewing Agent and also of the identity of Assistant Attorney General for the State of South Dakota, [redacted] who was interviewed at the Sioux City Police Department, was advised of his rights by SA [redacted] by the reading of the standard "Interrogation; Advice of Rights" form.

[redacted] advised he understood his rights, but does not want to sign the form and gave no reasons.

[redacted] indicated he does not want to be interviewed by anyone.

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The following description was obtained through observation and interview:

Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota,
Enrollment	Enrolled Indian on the Yankton Reservation
Height	5'11"
Weight	165
Hair	Black
Eyes	Brown
Scars & tattoos	[redacted]

Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518-~~RC-70-11609~~ - 66
by S. [redacted] :dl Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] Kerr-McGee Corporation Service Station, 800 Cherry Street, telephone number 605-624-9916, was told the identities of the interviewing Agents and the purpose of the interview at which time he provided the following information:

His wife [redacted] opened the service station at approximately 7 a.m. on May 5, 1976, and left at approximately 7:15 a.m. due to illness in the family. He was alone at the service station in between 7:15 a.m. and 7:30 a.m. when he noticed an automobile parked in front of the window of the service station. He did not observe the automobile drive into the service station but when he looked up he noticed it was facing west.

The automobile contained what he believed were five Indians. In the front seat was an Indian male at the steering wheel and a passenger who appeared to be an Indian male with a headband. He only glanced at the passenger for one or two seconds and could not identify the passenger. In the rear seat were what appeared to be three Indians, one of whom he thought may have been a woman. He only observed she had long black hair but he could not be positive whether the individual was a woman. He did not look at the other two individuals in the rear seat.

He described the driver as follows:

Name	[redacted]
Race	Indian
Sex	Male
Height	5'6"
Weight	140 to 145 pounds
Age	Late teens or early 20's
Eyes	Not recalled
Hair	Dark, medium length, touching shoulder
Shirt	Not recalled
Trousers	Blue jeans
Jacket	Not recalled, possibly blue jacket
Voice	Not distinctive
Defects	Not recalled
Other	Young "baby" face

Interviewed on 5/5/76 at Vermillion, South Dakota File # 198-518-RC-70-11609-65
 by SA [redacted] and [redacted] dlo Date dictated 5/6/76

RC 70-11609

The driver did not appear to be drinking, but as he exited the automobile he flicked a cigarette butt to the ground. The butt was not on the ground at the time of the interview as the wind had blown it away. The driver walked into the service station and asked him if he (the driver) could leave a pistol as collateral until Friday as he (the driver) needed gasoline. The driver said he was a student and expected a check on Friday. Partially through trust and partially through intimidation, he agreed to hold the pistol as collateral. The driver then returned to the car and appeared to talk to the others for two or three minutes and then returned carrying the pistol in his right hand next to his side. As he (the driver) handed the pistol to him, he noticed the cylinder was open and it was unloaded. The driver then returned to the car and backed it to the gasoline pump and filled it full of gas. The gasoline charge was for \$9 and the driver asked if he could have a "few dollars" to get him (the driver) "through." He agreed. He gave the driver \$2. He had the driver sign a Kerr-McGee Corporation invoice number H1049788. The driver signed [REDACTED]. The driver then drove away; however, he did not notice which way the driver proceeded, east or west.

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He described the pistol as a .22 caliber revolver. A short time later, the Vermillion, South Dakota, Police Department telephoned him advising him to be on the watch for a car, the occupants of which may have been involved in a shooting at Wagner, South Dakota. He then told the police of the incident described above. The police came to the station and he gave them custody of the weapon.

He felt he was unable to describe or identify any individual except the driver. Thereupon he was shown a photographic spread including photographs of the following individuals: [REDACTED]

[REDACTED] and [REDACTED]

He thought the driver resembled [REDACTED] but he could not be sure. However, he did not believe the nose of [REDACTED] was the same type of nose of the driver although it somewhat resembled it.

His local residence was [REDACTED] Street, Vermillion, South Dakota, telephone number [REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] date of birth September 15, 1936, Patrolman for the Wagner Police Department, Wagner, South Dakota, was advised of the identity of the interviewing Agent, the matter to be discussed concerning an incident which occurred in the Wagner Housing area during the early morning hours of May 5, 1976. He then provided the following information:

[redacted] stated he has been a patrolman for the Wagner Police Department for approximately eight months.

[redacted] advised that at approximately 2:30 AM he received a call from the Police Department from a recording, stating there were some gunshots at the Housing area.

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[redacted] advised he went to the Housing area, but he saw no activity, except a 1967 or 1968 brown Ford driving out of the Housing area with approximately 3 or 4 people in the vehicle. The vehicle did not try to elude him, so [redacted] indicated the vehicle appeared to be not involved in any of the shooting.

At approximately 3:30 AM, he received a call from the Sheriff's Office, Lake Andes, South Dakota, asking a question as to whether there was any shooting going on.

[redacted] stated he is not aware of any when the dispatcher from the Sheriff's Office told him to go to the Public Health Service Hospital.

[redacted] advised he did not talk to any of the victims at the hospital, nor any of the witnesses in the Housing area.

Interviewed on 5/5/76 at Wagner, South Dakota

File #

198-518
RC-70-11609-64

by

SA [redacted]

1

Date dictated

5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] date of birth [redacted]
[redacted] Oakland, California, an enrolled Indian on the Pine Ridge Indian Reservation, was advised of the identity of the interviewing Agent and also of the identity of [redacted] Assistant Attorney General for the State of South Dakota, and was advised of his rights by SA [redacted] by the reading of the standard "Interrogation; Advice of Rights Form". [redacted] stated he understood his rights and executed the form. [redacted] was contacted at the Sioux City Police Department, Sioux City, Iowa. [redacted] was told by SA [redacted] that the interview was concerning events surrounding [redacted] RUSSELL MEANS [redacted] at Wagner, South Dakota. He then provided the following information:

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[redacted] stated that he was at the Wagner Housing area at the [redacted] residence with approximately six or seven people. In the residence was [redacted] and others whom he could not identify. They were all drinking and the time was approximately Midnight.

At approximately Midnight, he went into the back room to try to get some sleep.

According to [redacted] the next thing he could remember, he was getting up, going into the kitchen and [redacted] asked him if he wanted to go for a drive.

At that time, he left with [redacted] and an individual by the name of [redacted] Last Name Unknown (LNU), an individual which was later arrested with him and was presently incarcerated at the Sioux City Jail. Also in the vehicle going for the ride was [redacted] was driving.

According to [redacted] the vehicle they were driving was a white Dodge, which he believed was owned by [redacted]

Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518-63
by SA [redacted] Date dictated 5/7/76

[] stated that he was drunk in the back seat during the ride. [] stated he does remember, however, that they stopped at the DALLAS BORDEAUX place in Vermillion to get some sandwiches.

According to [] he does not remember trading a gun at any gas station, but he does remember individuals in the car mentioning something about a gun going off. [] stated he could not identify who was involved in this discussion.

[] advised during the trip he did see a .22 caliber Winchester rifle in the back seat of this vehicle. [] stated he did not see any other weapons.

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[] advised he heard no conversation concerning any shooting at Wagner, South Dakota, among the individuals in the car. [] indicated the next thing he remembers they arrived at a residence in Sioux City, Iowa, and [] and [] got out of the car and went into this residence. [] advised he laid down in the car and [] then got out of the car, went toward the house and in approximately two minutes, came back to the vehicle and said to him "Let's get some beer".

[] stated he then jumped into the front seat of the vehicle and another individual whom he described as a white individual, got into the back seat. According to [] he does not know where this other individual who got into the back seat came from, nor did he know him.

[] advised they went to get some beer and when they turned a corner, they were caught by the Police.

The following description was obtained through observation and interview:

RC 70-11609

Race	Indian
Sex	Male
Height	5'8"
Weight	145
Hair	Black
Eyes	Brown

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] date of birth [redacted]
an enrolled Indian of the Yankton Sioux Tribe, was advised
of the identity of the interviewing Agent and Special Agent
[redacted] Division of Criminal Investigation for the
State of South Dakota who also assisted in the interview.
It was indicated to [redacted] the interview with her was
concerning an incident which took place at the Wagner,
South Dakota Housing area in which RUSSELL MEANS and [redacted]
[redacted] were injured. [redacted] provided the following information:

[redacted] stated approximately 3:00 AM May 5, 1976
she [redacted]
[redacted] and [redacted] [redacted]
indicated they were [redacted]
residence facing south. [redacted] when RUSSELL MEANS came
[redacted]

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[redacted] advised, [redacted] and
[redacted] were standing in the door of the [redacted]
residence at this time.

[redacted] advised she then heard approximately six
shots; one which sounded like it hit [redacted]
[redacted] According to [redacted] she did not see
any weapons in the hands of [redacted] or [redacted] or [redacted]
at this time.

[redacted] stated the shooting stopped for about two
minutes and then started again. [redacted] advised that she
saw [redacted] and [redacted] shoot some weapons they
were carrying in the air. At this time, she only heard
two shots. [redacted] described the weapon which [redacted] was
firing was a long barreled handgun and the weapon that
[redacted] was firing was a rifle.

[redacted] stated that [redacted] then came over
to the [redacted] [redacted] RUSSELL MEANS [redacted]
and told [redacted] [redacted] had a handgun

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-198-70-11609-62
by SA [redacted] :dl Date dictated 5/7/76

in his hand. MEANS got [REDACTED]

[REDACTED] indicated that [REDACTED] then [REDACTED] and [REDACTED] RUSSELL MEANS [REDACTED] and MEANS went down on the ground. [REDACTED] told MEANS to [REDACTED]

[REDACTED]. According to [REDACTED] MEANS had a tiny flat brown in color handled [REDACTED] while [REDACTED] MEANS.

According to [REDACTED] MEANS at no time held a weapon a [REDACTED].

According to [REDACTED] MEANS and [REDACTED] then went [REDACTED] to the front of the [REDACTED] residence.

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In the meantime [REDACTED] told [REDACTED] and was told by [REDACTED] to [REDACTED] did.

[REDACTED] had a large holstered revolver.

[REDACTED] and [REDACTED] then went [REDACTED] in front of the [REDACTED] residence.

The next thing she saw was [REDACTED] and [REDACTED] run toward the [REDACTED] residence. [REDACTED] and [REDACTED] then turned around and both [REDACTED] and [REDACTED] shot their weapons. [REDACTED] RUSSELL MEANS from approximately 10 - 20 feet away, and [REDACTED] from approximately 20 - 30 feet away. Both MEANS and [REDACTED] were laying down when [REDACTED] heard two shots.

[REDACTED] stated that [REDACTED] then went back to [REDACTED] and then both [REDACTED] and [REDACTED] the [REDACTED] residence.

A short time afterward [REDACTED] and [REDACTED] got into an early model vehicle, and drove south.

RUSSELL MEANS and [REDACTED] got up and went into the FRED ZEPHIER residence.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 10, 1976

A white 1965 Dodge two-door sedan, Vehicle Identification Number [redacted] bearing South Dakota License [redacted] belonging to [redacted] was searched after permission was granted to search the car by [redacted] who gave such permission in the presence of the interviewing Agents and South Dakota Division of Criminal Investigation (DCI) Agent [redacted] Assistant Attorney General for South Dakota [redacted] and Sioux City Police Department Identification Expert [redacted]

A search through the inside of the vehicle produced nothing of evidentiary value. Keys to the vehicle obtained from Officer [redacted] who obtained them from the Sioux City Police Department evidence file were used to open the trunk of the vehicle. Laying on the inside of the trunk was a .22 caliber lever-action rifle. The rifle was photographed where it lay in the trunk. The rifle was described as an Ithica .22 caliber lever-action with Serial Number [redacted]. The rifle contained in the chamber, an expended .22 caliber cartridge. In addition, two live rounds were in the magazine of the rifle. These were removed.

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The ammunition removed from the rifle were .22 caliber long-rifle cartridges with the letter "F" stamped on the rear of the cartridge. Nothing else was found in the trunk of an evidentiary value.

Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518- RC 70-11609-61
by SA [redacted] :arw Date dictated 5/10/76

FEDERAL BUREAU OF INVESTIGATION

5/13/76

Date of transcription

[redacted] appeared at the Aberdeen Resident Agency at 11:00 AM on this date and furnished the following information:

He is currently attending Northern State College at Aberdeen as a sophomore taking business administration and is employed at Public Health Service in a college program. He learned from news broadcasts that one [redacted] was wanted in connection with a shooting incident at Wagner, South Dakota, and called the Aberdeen Police Department, inasmuch as he was not involved in such a matter although he comes from Wagner, South Dakota.

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He reported that he lost his wallet during the summer when out drinking with friends at either Wagner or Greenwood, South Dakota, and possibly someone is using his identification from the lost wallet.

He is acquainted with [redacted] and some of the [redacted], but they are younger than he is and further, he does not associate with them. He has heard that [redacted] has been hiding and staying at [redacted] house and the house of one [redacted] as well as his sisters' homes in South Sioux City and Sioux City, Iowa. His sisters are [redacted] and [redacted] and they are married to [redacted] and [redacted] brothers.

[redacted] is described as follows:

Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Height	5' 7½"
Weight	190 pounds
Eyes	Brown
Hair	Brown
Father	[redacted]
Mother	[redacted]
Sister	[redacted]

Interviewed on 5/6/76 at Aberdeen, South Dakota File # 198-518-60
EC 70-11602-60

by SA BRYAN J. MOGEN:d1

Date dictated 5/10/76

RC 70-11609

Residence



Avenue, Aberdeen,
South Dakota.

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FEDERAL BUREAU OF INVESTIGATION

May 8, 1976

Date of transcription

RUSSELL MEANS was interviewed in the Intensive Care Unit of the Sacred Heart Hospital, was advised as to the identities of the interviewing Agents and the purpose of the interview by Special Agent (SA) [redacted] at which time he provided the following information:

He was staying at the residence of a relative in Wagner, South Dakota, and during the morning hours of May 5, 1976, exact time not recalled, he, [redacted], and approximately ten or twelve other individuals were in a nearby house. Two of the other ten or twelve individuals were [redacted] and [redacted]. He knew [redacted] and [redacted] and could identify them in court. He believed [redacted] was there as were the two daughters of [redacted]. He did not know the names of the other individuals.

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Weapons were being passed around and were being inspected. He and [redacted] thereafter decided to leave. "One" of the guys got a "hair up his ass" and "got the drop" on him. [redacted] and [redacted] put the guns on him [redacted] and ordered them outside. They left the house at gunpoint. They [redacted] and [redacted] made him sit down on the street in front of the house [redacted] "put" a .22 caliber rifle on him. He believed the rifle was bolt action. [redacted] then backed across the street and shot him once.

[redacted] had two cocked handguns and he [redacted] and [redacted] then fled. No one else was present during the shooting to the best of his knowledge.

He and [redacted] then crawled to the house where they were staying.

Previous to the above-described incident, a "young kid" in the kitchen of the house described above fired a shotgun and nearly hit him. He could not describe the individual but he could "point him out."

The guns described above were not his or [redacted] guns. No personal property was taken that he knew of.

Interviewed on 5/5/76 at [redacted] a [redacted] Yankton, South Dakota File # 198-518-
by SA [redacted] SA [redacted] and [redacted] RC 70-11609-59
SA [redacted] dlo Date dictated 5/6/76

RC 70-11609

He was asked what caused the incident. He said maybe "they" were trying to "rip" something out of the car or something. He then added "maybe," then said he did not know.

[REDACTED] RUSSELL MEANS, was present during the interview but did not participate.

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MEANS was in pain and was drowsy due to sedatives.

The interview was concluded.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] was interviewed in the Intensive Care Unit of the Sacred Heart Hospital, was advised of the identities of the interviewing Agents, and the purpose of the interview by Special Agent (SA) [redacted] at which time he provided the following information:

He was asked whether [redacted] and [redacted] RUSSELL MEANS out of a house in Wagner, South Dakota, at gunpoint. He stated "yes."

He was asked whether this happened early in the morning of May 5, 1976, and he said "yes." He added "3 a.m."

He was asked whether he personally knew [redacted] and [redacted]. He stated "no" but he could "identify them in court."

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He was asked whether the man with two guns shot him. He said "no." He said the "man with the rifle" shot him while he "was lying down."

He was asked whether the man with the rifle shot RUSS MEANS. He said he was "not sure." He (the man with the rifle) "made" him "lay down."

He added he "saw the rifle pointed towards him."

He was asked whether the man with two handguns was near. He replied "don't know."

He described the rifle as a .22 caliber pump. He was asked whether the rifle had a scope. He said "no." He was asked whose rifle it was. He said "don't know."

He was asked whether anyone else was present when they were shot. He said "no." He was asked the reason why they were shot. He said "don't know." He was asked whether they were robbed. He said "no."

He was asked whether there was anyone else the FBI could interview who may have witnessed the incident. He said "don't know."

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-
RC 70-11609-58
by SA [redacted] and SA [redacted] Date dictated 5/6/76

RC 70-11609

He was asked whether [REDACTED] daughters were present in the house before the shooting. He said, "no, don't know."

[REDACTED] RUSSELL MEANS, was present during the interview but did not participate.

[REDACTED] was in great pain and was drowsy due to sedatives.

The interview was concluded.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] was interviewed in the Intensive Care Unit of the Sacred Heart Hospital, was advised as to the identities of the interviewi [redacted] purpose of the interview by Special Agent (SA) [redacted] at which time he provided the following information:

He and his wife spent the evening of May 4 - 5, 1976, [redacted]
[redacted] FRED ZEPHIER, Wagner, South Dakota.

During the early morning hours of May 5, 1976, exact time not recalled, his wife was awakened by knocking on the bedroom window. She went to the window and found [redacted] who was [redacted] said something to the effect "let me in, they got us." His wife let [redacted] in. She asked where RUSSELL MEANS was. [redacted] said MEANS was laying on the front step.

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He was awake by this time and went to the aid of MEANS. He observed both [redacted] and MEANS were wounded by what appeared to be gunshot wounds.

R.C.

Interviewed 5/5/76 at [redacted] Dakota File # 198-518-57
by SA [redacted] SA [redacted] and dlo Date dictated 5/6/76

(Mount Clipping in Space Below)

Ted Means calls shooting 'assassination attempt'

YANKTON (AP) — State American Indian Movement (AIM) coordinator Ted Means said Friday that a shooting which resulted in injury to two AIM members this week was a direct assassination attempt.

Means said that a paid informant was responsible for events leading to the shooting. He added that the individual he considers an informant has caused trouble for Russell Means in the past and was seen leaving a Wagner house several hours before Means and John Thomas suffered gunshot wounds Wednesday.

"We have found several Indian persons who have been paid by the FBI to incite and invoke acts of violence against Indian people and organizations," the AIM coordinator said at a press conference. "Several people have been the target of illegal activity. Russell Means is at the top of the list."

Ted Means, Russell's younger brother, said two young men charged in

the shooting "are being used as pawns, whether they know about it or not."

He said that to his knowledge, none of the five men charged in connection with the incident are AIM members.

James Weddell, 19, and Michael Weston, 18, both of Wagner, have been charged with intent to kill in the shootings.

Gerald Black Elk, 18, and Terry Provost, 23, Lake Andes, have each been charged on two counts as accessories after the fact. A 17-year old juvenile has also been charged with being an accessory after the fact.

"Russ and John were set up. They were used in a very sophisticated plan by the FBI," Means said. "We consider it a direct assassination attempt."

A spokesman for the FBI said the organization denies that it had any involvement in the shooting. He said the FBI believes it is of the utmost importance to bring the perpetrators of the crime to justice.

(Indicate page, name of newspaper, city and state.)

— PAGE 16

— RAPID CITY
JOURNAL— RAPID CITY,
SOUTH DAKOTADate: **May 8, 1976**Edition: **FINAL**

Author:

Editor: **JAMES M. KUEHN**

Title:

Character:

or

Classification:

Submitting Office:

☐ Being InvestigatedSEARCHED 198-578- INDEXED 72-11609-56
SERIALIZED 2 FILED 2

MAY 10 1976

FBI - MINNEAPOLIS

Schroeder 15

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/5/76

Attached is a receipt for property obtained from
[redacted] Police Patrolman, Identification Bureau,
Sioux City, Iowa. This inventory sheet details property
received from [redacted] by SA [redacted]

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Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518-
RC-70-11609-55
by SA [redacted] ~~CR~~ :dl Date dictated 5/7/76

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Serial No. **13926W**

DATE AND TIME OF RELEASE
05-05-76 1700

3. CASE NO.

Property & Evidence Unit
SIOUX CITY POLICE DEPARTMENT

STREET ADDRESS CITY
FEDERAL BLDG. PIERRE S.D.

PHONE

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Released to authorized FBI agents from Wagner SD for their use in cases
pending in SD.

(CHECK ONE) ☐ SUSPENDED
☒ EX. CLSD. ☒ CLOSED

15. DATE/TIME 5-5-76 1700

16. REPRODUCED BY

11. SECTION OR UNIT
ID Bureau

14. SUPERVISOR APPROVING

IDENT. NO.

17. UNIT REFERRED TO

18. UCR DISPOSITION

12 PROPERTY SUPERVISOR RELEASING PROPERTY

19. REVIEWER

IDENT. NO.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 18, 1976

[redacted] was telephonically contacted at her place of employment, Bureau of Census and Probate, Bureau of Indian Affairs (BIA), Pine Ridge, South Dakota. After being advised of the identity of the contacting Agent, [redacted] furnished the following information:

[redacted] date of birth - [redacted]
[redacted] is enrolled at Pine Ridge Indian Reservation and has
enrollment number [redacted] father is shown as
[redacted] and his mother is [redacted] also known
as [redacted]

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Interviewed on 5/11/76 at Rapid City, South Dakota File # 198-518-
PC 70-11609-54
by SA [redacted] amj Date dictated 5/17/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 17, 1976

Photographs of the FRED ZEPHIER residence were taken. Photos included those of a light switch in the hallway of the residence. Photographs of the front and rear door area of the residence were taken. The bathroom area and a front view of the entire residence and side view close-up below the north side window were photographed.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-RC-70-11609-53
by SA JR. arw Date dictated 5/11/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 17, 1976

Photographs of a white 1965 Dodge two-door sedan, Vehicle Identification Number [REDACTED] bearing South Dakota License [REDACTED] were taken.

A photograph was taken of the trunk of aforementioned vehicle wherein was located a .22 caliber rifle Serial Number [REDACTED]

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Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518
RC 70-11609-52
by SA [REDACTED] JH:arw Date dictated 5/11/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 18, 1976

A Pontiac Tempest station wagon, white in color, 1974 North Dakota License [redacted] with a 1976 Sticker Number [redacted] was examined at the Fetchner's Garage, Wagner, South Dakota.

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The following items were noted:

Rear taillights were broken out; the rear bumper was torn on the left side; two bullet holes were located on the left side of the driver's side; one hole was located approximately seven inches below the driver's side door handle, rear door; second hole was located just above the rear wheel well approximately two inches to the rear of the back side door, driver's side.

Photographs of this vehicle regarding the bullet holes were taken by Special Agent [redacted] JR.

Interviewed on 5/12/76 at Wagner, South Dakota

File #

148-518-
RC-70-11609-51SA
SA

by

JR.:ACF:arw

Date dictated 5/12/76



70-11609 B.C.

198-518
~~70-11609-50~~

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FBI-MINNEAPOLIS	

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
 WASHINGTON, D.C. 20537

5-15-76 129 TB

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO O'Neill, Nebr.				
SO Lake Andes SDak				
SO Lake Andes SDak				
St Ref Sioux Falls SD				
	R-881			
SO Lake Andes SD				
USM Sioux Falls SD				

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IDENTIFICATION DIVISION

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

5-15-76 129 TB

2

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC-FBI Mpls ✓				

76-2830

70-1926

198-518-

~~70-11609-4.9~~

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO Chas Mix Co Lake Andes SD 57356	<div style="border: 1px solid black; width: 150px; height: 80px;"></div>			
USM Sioux Falls SD	<div style="border: 1px solid black; width: 170px; height: 30px;"></div> 8410-2518 76-2830 76-99260			
USM Sioux Falls SD	<div style="border: 1px solid black; width: 170px; height: 30px;"></div> 8410-2518			
SO Lake Andes SDak	<div style="border: 1px solid black; width: 170px; height: 30px;"></div> SID 83198			
USM Sioux Falls SD	<div style="border: 1px solid black; width: 150px; height: 30px;"></div> 8410-2518			
<div style="border: 1px solid black; width: 230px; height: 30px;"></div> 70-11609	B.C.			

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UNITED STATES DEPARTMENT OF JUSTICE

5-15-76 8 PM

FEDERAL BUREAU OF INVESTIGATION

IDENTIFICATION DIVISION

WASHINGTON, D.C. 20537

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC: FBI Minneapolis MN				

5/10/76

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI
Attention: FBI Laboratory, Latent Fingerprint Section

FROM: ASAC, RAPID CITY (76-11609) (P)

SUBJECT: [REDACTED]

aka;

RUSSELL MEANS - VICTIM;

[REDACTED] - VICTIM

CIN - ASSAULT WITH INTENT TO KILL; JDA

Re Rapid City report captioned as above of SA WILLIAM R. SCHROEDER dated 5/10/76.

Enclosed for the FBI Laboratory are the following items submitted for examination:

1. One projectile taken from clothes of RUSSELL MEANS by Dr. [REDACTED], Wagner, South Dakota;
2. One projectile taken from impounded Pontiac Tempest on 5/5/76;
3. One projectile obtained from Dr. [REDACTED] taken out of [REDACTED];
4. One .22 caliber High Standard revolver, Serial Number [REDACTED]

4 - Bureau
(1 - FBI Laboratory)
(1 - Package copy)

2 - Rapid City

WRS:arw

(6) arw

198-518-

76-11609-48

Searched _____
Serialized ✓
Indexed _____
Filed ✓

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RC 70-11609

5. One .32 caliber, IMA, five-shot revolver,
Serial Number [REDACTED]

6. One .30 caliber National Ordnance carbine,
Serial Number [REDACTED]

7. One .22 caliber Ithaca lever action rifle,
Serial Number [REDACTED]

8. One expended .22 long rifle cartridge taken
from rifle listed above;

9. One bloody shirt obtained from FRED ZEPHIER;

10. One envelope containing latent fingerprints
obtained from Sioux City Police Department who lifted prints
from .30 caliber carbine listed above.

The FBI Laboratory is requested to do latent
fingerprint examination on items 4, 5, 6, 7 and 8.

FBI Laboratory is also requested to identify as
much as possible projectiles listed as 1, 2 and 3.

The Laboratory is further requested to compare
rifling markings on projectiles with weapons submitted,
noting that Item 8 was taken from chamber of weapon listed
as Item 7. Latent fingerprints lifted from Item 6 by
Sioux City, Iowa, Police Department, should be identified
if possible and blood type determined from Item 9.

Further, Laboratory is requested to do ballistics
examination on all weapons submitted and do comparison of
results with submitted exemplars in RESMURS Rapid City File
Number 70-10239.

All items submitted for examination should be returned
at the conclusion of this examination.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 10, 1976

One spent projectile was recovered from the left rear door of a white Pontiac Tempest station wagon at 3:15 p.m. by Special Agent [redacted] of the FBI and Special Agent [redacted] Division of Criminal Investigation, Pierre, South Dakota.

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b7C

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-RC-70-11609-47
by SA [redacted] Date dictated 5/9/76

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 10, 1976

An inventory search was conducted of a white Pontiac Tempest station wagon at Fetchner's Garage, Wagner, South Dakota, by Special Agent (SA) [redacted] of the FBI, SA [redacted] Division of Criminal Investigation (DCI), Platte, South Dakota, and [redacted] DCI, Pierre, South Dakota. This inventory search was conducted to protect any personal property which might be located within this station wagon.

The following items were noted on the inventory of this station wagon:

- One shopping bag of clothes - mens;
- One black comb six inches long;
- Two sets jumper cables;
- One tom-tom beater;
- One group of feathers;
- One toothbrush;
- One tube Ace toothpaste;
- Two blankets of foam;
- One hubcap;
- One Budweiser beer can, empty;
- One 7-Up bottle quart size, empty;
- One gallon jug - white plastic;
- One five gallon gas plastic container;
- Three empty Bud cans;
- One empty Olympia can;
- One empty Mountain Dew pop bottle;
- One empty Pepsi bottle;
- One American Graffiti tape;
- One matchbook;
- One South Dakota map;
- One City of Wagner Warning Ticket dated May 4, 1976, and Number 027;
- One blue suitcase;
- One Manila envelope addressed to [redacted] containing mail. [redacted]

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-46
by SA [redacted] rw Date dictated 5/9/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 10, 1976

[redacted] JR., Mission, South Dakota, provided the following information:

On May 4, 1976, he and [redacted] traveled from Manderson, South Dakota, to Mission, South Dakota in his 1969 Ford pickup where they picked up [redacted]. The three of them then traveled to Avon, South Dakota, where they got rooms in a motel.

He requested the motel manager to awaken him at 1 p.m. in order that he could write a check to obtain cash. He then went to bed. He was awakened by the manager of the motel at 1 p.m. but did not get up until 5 or 6 p.m. Inasmuch as it was too late to cash a check, he and [redacted] and [redacted] went to Wagner, South Dakota, looking for [redacted] so that [redacted] could borrow money from him. They were in a liquor store trying to obtain some wine when a girl, whose name he did not know, approached him and asked him if he wanted to go to a party. He said yes and they all traveled to [redacted] house in Wagner Indian Housing area.

After "partying" for awhile, someone told them that RUSSELL MEANS was in a house across the street. There was supposed to be a meeting with him that evening. [redacted] said he did not want to go see MEANS but the other people at the party convinced him that nothing would happen to him because the people at [redacted] house had invited him and he was their guest.

He and [redacted] and a few others from the party walked into the house across the street at which point he saw RUSSELL MEANS sitting down. He tapped MEANS on the shoulder and stuck out his hand in order to shake hands with MEANS. MEANS turned around and shook his hand. MEANS then stood up and picked up what looked like a small caliber automatic pistol and said that he was going to shoot him [redacted]. He and MEANS then commenced arguing about how [redacted] at one time had [redacted] MEANS [redacted] and also about how he [redacted] had given [redacted]

Interviewed on 5/8/76 [redacted] e, South Dakota

File #

198-518
RS 70-11609-45

SA [redacted]
SA WILLIAM R. SCHROEDER:WRS:arw

Date dictated 5/10/76

MEANS a scar on his forehead in a fight they had had in Valentine, Nebraska.

They continued arguing for about half an hour. At one point MEANS put the gun down on the table and challenged him to go outside and fight him. At another point during this argument, MEANS gave the gun to [redacted] who was sitting down. [redacted] waved the gun in his [redacted] direction. At this point, [redacted] should not have a gun because he had just gotten out of the penitentiary. [redacted] laid the gun on the table and MEANS picked it up again and pointed the gun at his [redacted] head. MEANS said "I've got a bad heart and don't have long to live so I don't mind taking someone with me. I'm not afraid to shoot anybody."

During the course of this argument with MEANS, an individual who had been at [redacted] party also and whose name he thought was [redacted] stood by him. At this point in the argument, [redacted] stood between MEANS and himself and told MEANS that he would have to shoot him first. [redacted] asked MEANS why he never came down and tried to help the Yankton Sioux Indians. He said MEANS was just out for himself. MEANS then made a remark concerning [redacted] which made [redacted] mad. [redacted] then told him [redacted] that he had better leave. [redacted] told MEANS to put the gun down. MEANS put the gun down. MEANS then said to him [redacted] he was still going to get him.

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[redacted] then left the house through the back door and got into his pickup truck. He then drove his truck about a block away. As he was driving he looked back and saw MEANS standing outside with the gun in his hand. After he had stopped he told [redacted] who was in the car with him, to go back and get [redacted]. [redacted] then came out of the house and got into the truck and they drove to a motel in Wagner to see [redacted]. After arriving at the motel, they went in to [redacted] room and watched TV for a while. They then got back into the truck and drove back to their motel at Avon, South Dakota. After about an hour, [redacted] came to his room and told him that he wanted to use the truck in order to take the girl he was with back to Wagner. He told [redacted] to go ahead and use the truck and went back to bed. Sometime later

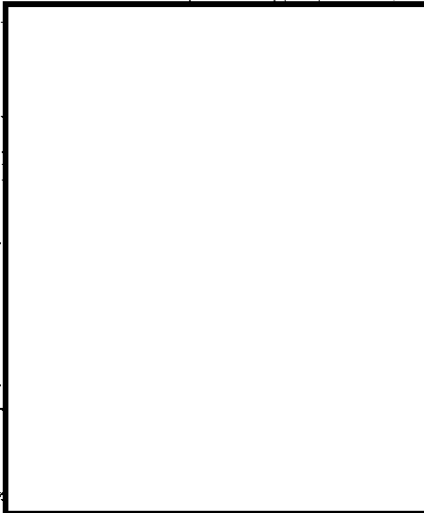
RC 70-11609

[redacted] came back to the motel and informed him that RUSSELL MEANS had been shot. After hearing this news, he went back to his room and went to sleep.

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At this point [redacted] was shown a display of photographs consisting of the following individuals:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.



[redacted] identified the photos of [redacted] as the individual who stood between him and MEANS at the house in Wagner. He also identified the photograph of [redacted] as having been at the party he attended in Wagner prior to his meeting with MEANS.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 9, 1976

A crime scene investigation was performed in the Indian Housing area, Wagner, South Dakota, by Special Agent (SA) [redacted] of the FBI and SA [redacted] of the Division of Criminal Investigation (DCI), Platte, South Dakota. Nothing of evidentiary character was noted. Photographs were taken by SA [redacted] of DCI, Pierre, South Dakota.

A white Pontiac Tempest station wagon parked in front of [redacted] in Wagner Housing area was impounded as part of the crime scene and stored at Fetchner's Garage, Wagner, South Dakota.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
RC-70-11609-44
by SA [redacted] Date dictated 5/9/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] [redacted] Public Health Service (PHS) Hospital, Wagner, South Dakota, was advised of the identity of the interviewing Agent and the nature of the interview.

He stated that he was present during the treatment of RUSSELL MEANS and [redacted] in the early morning hours of May 5, 1976. He stated that he provided just general assistance to the attending physicians and medical staff. He stated that the climate was such that it was evident that MEANS and [redacted] but that they never told him. He stated that he heard [redacted] say "it's best I don't talk with anyone." He added that it was evident that RUSSELL MEANS was in some pain but added that he refused any anesthetic to ease the pain. He stated that MEANS was lucid during the period of his treatment but that he does not recall anything particular which MEANS stated.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
BC 70-11609-43
by SA [redacted] dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] Street, Wagner, South Dakota,
telephone number [redacted] was advised of the identity of the
interviewing Agent and the nature of the interview.

He stated that he was the [redacted] which
transferred RUSSELL MEANS and [redacted] to the Sacred Heart Hospital
in Yankton, South Dakota. He stated that he helped load MEANS and
[redacted] into the ambulance and added that Dr. [redacted] and [redacted]
accompanied him to Yankton, along with MEANS [redacted] and [redacted]
[redacted] added that while [redacted] he did not hear
anybody in the rear of the ambulance talking because they were
separated from the cab by a partition.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
RC 70-11609-42
by SA [redacted] /dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] JR., [redacted] South Dakota, was advised of the identity of the interviewing Agent and the nature of the interview.

He stated that he was the [redacted] who responded to the call to pick up a shooting victim at House [redacted] in the Indian Housing area of Wagner, South Dakota. He added that when he arrived at House [redacted] MEANS was lying on the porch and was covered with blankets. He stated that MEANS was "groaning and kicking" and it was evident to him that MEANS was in pain. When he was attending MEANS on the front step he was told there was another shooting victim inside the house. He stated that this victim was [redacted] neck area and though he was conscious he was concerned about the condition of this wounded man.

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[redacted] stated that he himself was rather nervous in this situation because of the shooting incident and the condition of MEANS and [redacted]. He stated he recognized some people at this location but the only ones he can recall now are [redacted] and a girl [redacted]. He said there must have been 15 or more people in that area. [redacted] then said that two or three of these people entered the ambulance and accompanied him to the hospital.

He stated that when he arrived at the Public Health Service (PHS) Hospital, RUSSELL MEANS was unloaded first and he heard MEANS say, "I don't want a PHS doctor." He stated that then they unloaded [redacted] with the help of [redacted]. He stated then that he followed the orders of Dr. [redacted] and Dr. [redacted] and secured what they needed for the treatment of the shooting victims. He stated that he got suction cups and IV's and the like as they were required by the doctors. He stated that in addition to the doctors there were two medical students present, one of whom he knows as BOB and he cannot recall the name of the other. He also stated that the X-ray technician MARI HALL was present along with [redacted] the [redacted].

He stated that during the course of the treatment of MEANS and [redacted] things were said by MEANS but he does not recall anything in particular. He stated that his main concern was to follow the orders that he was given by the attending physicians.

Interviewed on 5/5/76 at Lake Andes, South Dakota File # 198-518
by S [redacted] dlo Date dictated 5/7/76
RC-70-11609-41

RC 70-11609

After it was decided to transport the [redacted] to Yankton, South Dakota, he stated that he helped load both MEANS and [redacted] into the ambulance and then he [redacted] while [redacted]. He stated that he does not recall anything that either MEANS or THOMAS might have said which indicated that they knew who shot them or why they were shot.

[redacted] then said that MEANS did give Dr. [redacted] something which appeared to [redacted] to be a bullet. He stated that MEANS asked Dr. [redacted] to hold onto it and Dr. [redacted] said he would. [redacted] added that it seemed to be a small caliber bullet.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

Dr. [redacted] Physician, Public Health Service (PHS) Hospital, Wagner, South Dakota, was advised of the identity of the interviewing Agent and the nature of the interview. He was interviewed in the presence of [redacted] Special Agent, Division of Criminal Investigation.

Dr. [redacted] stated that he received a telephone call at his residence between 3:30 and 3:40 a.m., May 5, 1976, stating that there was a gunshot-wound victim being transported to PHS. He stated that he verified that there was a shooting victim, then dressed, and arrived at the hospital between 3:50 and 4:00 a.m. Two minutes later two victims arrived at the hospital and which were later identified to him as being RUSSELL MEANS and [redacted]. He added that he had called Dr. [redacted] for assistance and that Dr. [redacted] arrived to provide assistance and treat RUSSELL MEANS. Dr. [redacted] stated that he concentrated his efforts on [redacted] because he appeared to be more seriously wounded.

Dr. [redacted] stated that MEANS was lucid when he was brought in but he was in great pain. He stated that MEANS told him he did not know what kind of gun he had been shot with. Dr. [redacted] added that [redacted] also was providing him assistance and described [redacted] as a medical student. He stated that [redacted] told him that he was having difficulty in breathing and added that he could hardly talk. He also stated that a little later the only way THOMAS was able to communicate that he was in pain was by squeezing his hand. He stated that he sedated [redacted] and cleaned his mouth so that it was easier for him to breathe.

Dr. [redacted] then stated that he and Dr. [redacted] decided that they did not have adequate facilities for treating and monitoring MEANS and [redacted] so they decided to transport them to Sacred Heart Hospital in Yankton, South Dakota.

Dr. [redacted] stated that there were a number of other people present, some of whom he knew and some of whom he did not. He stated two of the people present were [redacted] RUSSELL MEANS, and [redacted]. He added that everybody present in the emergency room at PHS provided him all the assistance he required.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-40
by [redacted] dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

Dr. [redacted] Public Health Service (PHS) Hospital, Wagner, South Dakota, was advised of the identity of the interviewing Agent and the nature of the interview. He was interviewed in the presence of [redacted] Special Agent, Division of Criminal Investigation.

Dr. [redacted] stated that he treated RUSSELL MEANS when he was admitted to PHS for treatment of gunshot wounds. He stated that it appeared to him that MEANS had been shot in the left chest and that the bullet had exited in the rear of his back. Dr. [redacted] added that when he took off MEANS' shirt to examine the wound, what appeared to be a lead projectile fell out of the clothes.

Dr. [redacted] stated that MEANS was lucid during the period of his treatment but added that he was extremely aggressive and belligerent. He did state further that MEANS was in a great deal of pain but that he refused any medication to ease this pain. He stated that MEANS was not "shocky" and that his condition was stable. He added that MEANS never indicated who shot him but he did state "they were trying to kill me." He stated that while he was treating MEANS, [redacted] and MEANS [redacted] who goes by the nickname [redacted] were present. Dr. [redacted] stated that these individuals helped him in his treatment of MEANS. He also stated that [redacted] a medical student, and [redacted] a medical student, aided him in the treatment of MEANS.

Dr. [redacted] then advised that he heard MEANS ask "did you find [redacted] in the street" but does not remember what answer MEANS received.

Dr. [redacted] said that he accompanied MEANS to Sacred Heart Hospital in Yankton, South Dakota, and that, in addition to him, in the back of the ambulance were RUSSELL MEANS, [redacted] and [redacted]. He added that there was conversation during the trip but stated that he could not recall anything in particular that was said.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-39
by SA [redacted] dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

Mrs. [redacted] Laboratory X-ray Technician, Public Health Service (PHS) Hospital, Wagner, South Dakota, was advised of the identity of the interviewing Agent and the nature of the interview. She was interviewed in the presence of [redacted] Special Agent, Division of Criminal Investigation.

She stated that she was the technician who X-rayed MEANS and [redacted]. She stated that during the course of the treatment MEANS appeared lucid though in pain. She stated that he talked during this period and she heard him say [redacted] and the [redacted] did it." She added that MEANS also said "I shouldn't have said those things about DENNIS BANKS. I didn't realize there were so many Chippewa lovers around here."

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She further stated that she did not hear [redacted] say anything during the time that he was at the PHS Hospital.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-578-~~RC 70-11609-38~~
by S [redacted] dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] Indian female, born [redacted] at Wagner, South Dakota, currently residing with [redacted] at House [redacted] after being advised of the identity of the interviewing Agent, was interviewed at her residence and she furnished the following information:

She stated that at about 12 midnight she and her sister [redacted] went to [redacted] to visit. She stated that a few hours later at about 3 a.m., they left [redacted] house and were walking toward [redacted]. She stated as they were leaving [redacted] they noticed [redacted] in front of the [redacted] residence. [redacted] advised that she and [redacted] then went over and [redacted] which was [redacted]. [redacted] stated that [redacted] and that also [redacted] was an individual whose name she believed to be [redacted].

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She stated they were talking for a few minutes when [redacted] and [redacted] came out of the [redacted] house shooting guns into the air and into the ground. She stated it appeared that [redacted] had a handgun, [redacted] had a handgun, and [redacted] had a .22 caliber rifle. WESTON appeared to be shooting the rifle up into the air. At about the same time they came out, RUSSELL MEANS came out. She stated that MEANS walked over to [redacted] which is next door where [redacted] was sleeping. [redacted] stated that it appeared that nobody would answer the door so MEANS then walked over to the [redacted]. [redacted] stated that she opened the back door for him and MEANS got in. She stated that during this time [redacted] and [redacted] were still firing their guns.

[redacted] then walked over to the [redacted] carrying a pistol. She stated that he [redacted] MEANS and said, [redacted]. Then MEANS [redacted] and walked up on [redacted] front lawn. [redacted] stated that then [redacted] came up to MEANS [redacted] MEANS. MEANS staggered backwards. She stated that [redacted] then shot the rifle he was carrying in the air and then into the ground and then in the direction of the [redacted]. She stated that [redacted] then got scared [redacted] and took off running. [redacted] and [redacted] appeared to be [redacted] then [redacted] from [redacted].

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-RC-70-11609-37
by SA [redacted] dlo Date dictated 5/7/76

[redacted] He yelled, [redacted]
[redacted] stated that then she [redacted]
[redacted] and had what appeared to be a .38 caliber
revolver. [redacted] stated that she believed that he got the gun from
[redacted] She stated that [redacted] however, got the
[redacted] [redacted] stated that [redacted] appeared to be highly
intoxicated. [redacted] then forced [redacted]
and forced [redacted] in front of the [redacted] house.
[redacted] stated that then she got up and walked across the
street to [redacted] house to call the police. While she was
walking to [redacted] residence, [redacted] fired a shot in her direction.
She stated that she heard the bullet go past her ear. While walking
to [redacted] residence, she met her sister [redacted] standing by
[redacted] car. Then she and [redacted] went inside the [redacted]
house and called the police.

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[redacted] stated that she and her sister then left the [redacted]
residence and stood by [redacted] house and watched what was
going on. She stated that she observed RUSSELL MEANS lying on his
back on the ground in front of [redacted] house which is
located across the street from the [redacted] residence. [redacted] was
standing across the street from MEANS. [redacted]
MEANS immediately yelled and screamed "ow." Then he stopped
and laid there quietly for a short while. In the meantime,
[redacted] had [redacted]
[redacted] was about 15 feet from [redacted]
[redacted] fell down on the ground. Then [redacted] and [redacted]
ran back into [redacted] house carrying the guns. A few seconds later they
came back out of the house but it appeared they were not carrying the guns
at this time. [redacted] stated that [redacted] was with them and
that they all got in [redacted] car and left. She stated that she
did not know where [redacted] had gone in the meantime. She said that
she did not see [redacted] shoot anyone.

[redacted] was able to get up and stagger to the front door of
the FRED ZEPHIER residence. It appeared that no one would answer the
door so he then staggered around the house to the back door. It
appeared that he was finally able to gain entrance into the house.

MEANS in the meantime crawled across the road and made it to the front porch of the ZEPHIER residence where he collapsed.

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[redacted] stated that she and [redacted] then ran over to [redacted] residence which is located across the street from [redacted] house and awakened [redacted] and told him and his wife that RUSSELL and [redacted] then immediately went over to [redacted] residence.

[redacted] stated that someone put a blanket over MEANS where he was lying on the porch. [redacted] stated that she saw [redacted] laying on the couch inside the house with a towel on his neck apparently to stop the bleeding. She stated [redacted] was bleeding from the nose also. MEANS had a bullet wound on his lower right chest and appeared to be bleeding badly. She stated that [redacted] called an ambulance from FRED's place. The ambulance arrived about 20 minutes later.

[redacted] stated that at about 12 midnight when she was at FRED ZEPHIER's place she saw the following people enter [redacted] place: [redacted]

[redacted] and two unknown women.

[redacted] stated that at about 5 a.m., she and her sister [redacted] were returning to her residence from the hospital in Wagner when [redacted] confronted them and asked her what happened. She told [redacted] that RUSS and [redacted] [redacted] then told her to keep her mouth shut and that if she did not keep it shut that she could not come out of her house again because a lot of people would be after her.

[redacted] described the car that [redacted] and [redacted] left in as a white two-door sedan.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] was advised of the identity of the interviewing Agent and the matter to be discussed. He was interviewed in the presence of [redacted] Special Agent, Division of Criminal Investigation.

[redacted] stated that he is a medical student in his second year at the University of North Dakota and is working on a clerkship at the Public Health Service (PHS) Hospital, Wagner, South Dakota. He explained that this is a program to give students clinical experience prior to extensive clinical training later in medical school. [redacted] further stated that as of July, 1976, he will transfer to the University of Alabama Medical School in Tuscaloosa.

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[redacted] stated that he was present during the treatment of RUSSELL MEANS and JOHN THOMAS while they were at the PHS Hospital in Wagner, South Dakota. He stated that he provided medical assistance and any help which the attending physicians would need. SCIACCA described MEANS as lucid during the entire period of his treatment and added that he refused any medication to ease his pain because he was going to be a participant in the sundance.

[redacted] then stated that during the course of the treatment he heard MEANS state something to the effect that "I didn't know the Chippewa was that well loved up here by you Dakotas." He stated he also heard MEANS say "JANKLOW will be disappointed."

[redacted] stated that MEANS was in a great deal of pain and that at times he had to be restrained, but added that this restraint was not extremely forceful. It amounted only to holding his arms down.

[redacted] also stated that he heard MEANS say that he wanted Dr. [redacted] to hold a projectile which fell out of MEANS' clothes for him saying "hold it. I'm going to take it to court." [redacted] also stated that MEANS expressed concern for the two girls who had witnessed his being shot. He was also concerned that his mother know that he was going to be alright.

[redacted] stated that MEANS was in a stabilized condition almost upon admittance to the hospital and that they were not overly

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
RC 70-11609-36
by SA [redacted] dlo Date dictated 5/7/76

RC 70-11609

concerned about the extent of his wounds. He said that his blood pressure was okay and everything appeared to be under control. [redacted] stated that he did not hear [redacted] say anything during the course of his treatment at Wagner. He added that [redacted] appeared to be the more seriously injured and required more treatment than RUSSELL MEANS did.

[redacted] stated that he accompanied MEANS and [redacted] to the Sacred Heart Hospital in Yankton, South Dakota. He stated that during the trip [redacted] was not conscious though MEANS was. He stated that conversation was going on during the trip but that he did not recall specifically anything that was said pertinent to the shooting incident or conditions prior to the incident.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

Dr. [REDACTED] M.D., Public Health Service (PHS) Hospital, Wagner, South Dakota, furnished a projectile which fell from the clothes of RUSSELL MEANS when they were removed. They removed the clothes so that treatment could be provided to MEANS for his gunshot wound.

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Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
by SA [REDACTED] [REDACTED] dlo Date dictated 5/7/76
RC 70-11609-35

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 8, 1976

[redacted] was advised of the identity of the interviewing Agent and the nature of the interview. He was interviewed in the presence of [redacted] Special Agent, Division of Criminal Investigation.

[redacted] stated that he was a second year medical student at the University of South Dakota, Vermillion, South Dakota, at the present time, but in July would transfer to Yankton, South Dakota. He stated that he was on a clerkship program at the present time at the Public Health Service (PHS) Hospital in Wagner, South Dakota, which provides him some clinical experience prior to the extensive experience he will get later in medical school.

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[redacted] stated that he was present during the treatment of RUSSELL MEANS and [redacted] while they were at the PHS Hospital in Wagner, South Dakota. He stated that MEANS was lucid during the time that he was a patient at the PHS Hospital and undergoing treatment. He added that he heard MEANS say at one point "never should have said anything against DENNIS BANKS." [redacted] also said MEANS said "I know who it was," but [redacted] stated he did not hear any name.

[redacted] stated that he did not hear [redacted] say anything at all during the period of his treatment at Wagner.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
RG-70-11609-34
by SA [redacted] dlo Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] after being advised of the identity of the interviewing Agent and of the identity of [redacted] for the South Dakota Division of Criminal Investigation, who assisted in the interview, was given his Constitutional Rights as they appeared on the FBI form entitled, "Interrogation; Advice of Rights". [redacted] acknowledged that he understood his rights and read the waiver of rights contained on the same form and then signed the waiver. [redacted] then furnished the following information regarding his knowledge of the shooting that occurred during the previous evening of RUSSELL MEANS and [redacted]

[redacted] stated that during the evening of May 4, 1976 at about 10:00 PM he and [redacted] went to the [redacted] residence in Wagner, South Dakota, to a beer party. He stated that also at the [redacted] residence were [redacted], RUSSELL MEANS, [redacted] and [redacted]. He stated that several people were coming in and out during the course of the evening and on different occasions he saw several of [redacted] daughters. Also he saw [redacted] First Name Unknown (FNU) [redacted] and an unknown Indian male who, according to MEANS, had just gotten out of the joint. [redacted] stated that [redacted] kept "bouncing" in and out of the door.

He stated that MEANS was drinking beer and began getting rowdy. He was kidding around with [redacted] and [redacted] and on separate occasions, both [redacted] and [redacted] challenged MEANS to a fight. MEANS told them one time "I'm chicken shit". A second time, MEANS agreed to fight and went back outside. However, no fight ensued and MEANS returned to the house.

Sometime after Midnight, which would be May 5 1976 everybody in the house, except for [redacted] and two or three others, went outside. [redacted] stated that he did not know why all of them suddenly went outside. He stated that MEANS was in a continual argument

Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518
RC 70-11609-33
 by S. [redacted] dl Date dictated 5/7/76

with [] and [] during the evening, but that he did not pay much attention to the argument.

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He stated that [] and MEANS went outside of the house first and then a few minutes later, [] stood up and said that he was going to go. At about the same time [] left. [] left the house and went outside. [] stated that approximately 10 minutes later, he [] quantity unknown, coming from outside the house. Then everything quieted down. Shortly thereafter, [] and [] came back into the house and [] said [] [] then asked [] for a ride home. [] stated that he [] and [] all went back outside and got into [] white 1964 or 1965 Dodge sedan. [] stated that []

[] advised that they drove to [] father's place in the country, and once there, [] got out of the car and he noticed that he was carrying a small caliber revolver. He stuck the revolver in his waistband and then walked toward the house. He returned a few moments later carrying gasoline which he then drained into the car. [] stated that he did not see if [] had a gun. They then left for Sioux City, Iowa.

On the way to Sioux City, Iowa, [] mentioned that RUSSELL had been shot and so had [] stated that he did not know how badly they had been hit, but that everybody better be quiet about it. [] and [] were talking back and forth about the shooting and both accused the other of shooting MEANS and []

[] added that they stopped in Vermillion, South Dakota, for gas and that [] hocked the .22 caliber revolver he was carrying for some gasoline and \$2.00. [] stated that the gun he hocked was the same gun that [] was handling earlier in the evening inside of [] residence. [] added that [] had some sort of gun in a holster earlier in the evening at the [] residence.

[redacted] also stated that at this time, he knew that [redacted] was a fugitive from the law. He stated that he believed that the Sheriff of Charles Mix County had a warrant for [redacted] because of [redacted] failure to show up for court stemming from his participation of the [redacted]

[redacted] stated that once they arrived at Sioux City, Iowa, they drove to [redacted] sister's house, which was located in an apartment building in south Sioux City. [redacted] went into the house by himself and returned with \$11.00. They then drove to a liquor store and purchased some beer. They then drove to another location to see [redacted] brother, [redacted] got out by himself again, and returned a few minutes later and said that his brother was currently at a house located on Cook Street in Sioux City. [redacted] stated they then picked up a hitchhiker who showed them where Cook Street was. [redacted] stated they found the house and [redacted] went inside the house. Shortly thereafter, [redacted] went in and used the bathroom. Then [redacted] told [redacted] to go buy some more beer and gave him \$5.00. [redacted] stated that [redacted] and [redacted] went in the house and that he [redacted] and the hitchhiker got into the car. He stated that the hitchhiker said that he had to go to work, so [redacted] agreed to take him there. [redacted] stated that they had driven a few blocks away from the house when they were "busted" by the Police and FBI Agents. [redacted] stated that as far as he knows, there were no guns in the car when they were "busted".

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[redacted] stated that before they left Wagner, South Dakota, while at the [redacted] residence in Wagner, he saw a .30 caliber carbine in the house. He stated that after they had arrived at Sioux City, Iowa, he saw [redacted] carrying the carbine when they were at his sister's house in south Sioux City. [redacted] pulled the gun from between the door and the seat of the car. He stated that he also saw a second revolver that was in a holster. He stated that he does not know who had possession of the gun, but that he did see it in the car in Sioux City. He stated he did not know what caliber it was.

RC 70-11609

[redacted] stated that he would testify in court to the information which he had furnished to the interviewing Agent.

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The following description was obtained through observation and interview:

Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Height	5'8"
Weight	170
Hair	Black
Eyes	Brown
Scars	[redacted]
Education	Obtained G.E.D. High School Degree.
Military	None
Residence	Lake Andes, South Dakota, with mother, [redacted]
Employment	Unemployed
Prior convictions	First Degree burglary as a juvenile in 1968. Third degree burglary 1971 - 1972 for which he served some time in prison.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] after being advised of the identity of the interviewing Agent and of the identity of [redacted] for the South Dakota Division of Criminal Investigation, who assisted in the interview, was given his Constitutional Rights as they appeared on the FBI form entitled, "Interrogation; Advice of Rights". [redacted] read the waiver of rights contained on the same form, but declined to sign the waiver of rights and stated that he did not wish to give a statement to the interviewing Agent and Mr. [redacted]. However, [redacted] did state that he was at the [redacted] residence in Wagner, South Dakota, and talked with RUSSELL MEANS and [redacted] during the previous evening and early morning hours. However, he stated that he left the [redacted] residence before the [redacted] [redacted] declined to furnish any additional information.

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The following description was obtained through observation and interview:

Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Height	5'5"
Weight	136
Eyes	Brown
Hair	Black
Characteristics	Slight moustache
Tattoos	[redacted]

Scars

Prior arrests	Admits to several, but does not know details of any of them.
Residence	[redacted] states that he has been living in a tent in the East River Bottom.

Interviewed on 5/5/76

Sioux City, Iowa

File # 198-518-RC-70-11609-32

by

S [redacted]

dl

Date dictated

5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] also known as [redacted] after being advised of the identity of the interviewing Agent and of the identity of [redacted] for the South Dakota Division of Criminal Investigation, who assisted in the interview, was given his Constitutional Rights as they appear on the FBI form entitled "Interrogation; Advice of Rights". [redacted] then read the waiver portion and signed same, then agreed to give a statement. [redacted] then furnished the following information about the shooting of RUSSELL MEANS [redacted] that occurred the previous evening.

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[redacted] stated that at around 12:00 Midnight, he and [redacted] drove over to [redacted] residence in the Wagner Indian Housing, Wagner, South Dakota, for a beer party. He stated that when they got there, RUSSELL MEANS, [redacted] MEANS' [redacted] name unknown, [redacted] and [redacted] were in the house. He stated that a lot of other people were coming in and out continually during the evening.

When [redacted] and [redacted] arrived, the above described individuals were sitting in the house discussing Tribal policies and problems on the Yankton Sioux Indian Reservation. He stated that they were all drinking. [redacted] stated that he saw several guns in the house. However, the only guns that he could describe in the house were a .22 caliber black revolver with a long barrel and a .32 or .38 caliber revolver that [redacted] was wearing on his hip. In addition, there appeared to be some rifles and one or two shotguns.

[redacted] stated that he was talking to some girls in the back room of the house and he came out into the living room and stated that it appeared that he [redacted] and [redacted] were the only individuals left in the house. He stated at about this time, he heard [redacted] outside of the house. He looked out the window and saw a person whom he knew to be RUSSELL MEANS laying on the other side of the street. He then saw

Interviewed on 5/5/76 at Sioux City, Iowa File # 198-518- RC 70-11600-31
by SA [redacted] dl Date dictated 5/7/76

a second individual laying on the ground in front of the [redacted] house near the street. He stated that he heard at least two different guns being fired.

A minute or two later, [redacted] and [redacted] came back into the house. [redacted] stated that one of them was carrying a rifle. He stated that he thought that the other one had a rifle also, but he was not sure.

[redacted] asked [redacted] if he would give them a ride and [redacted] agreed. Then he [redacted] and [redacted] got into [redacted] car. [redacted] drove. As they were leaving, [redacted] said [redacted] RUSSELL MEANS [redacted] They then drove to a farm house near Wagner, where [redacted] got some gas. [redacted] stated that shortly thereafter, he fell asleep in the car and slept most of the way to Sioux City, Iowa. He stated that he remembers that someone, he could not remember who, placed a .22 caliber rifle in the trunk of his car. He also remembered stopping in Vermillion, South Dakota, where [redacted] pawned a long-barrelled .22 caliber revolver.

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[redacted] stated they then drove on to Sioux City, Iowa. He stated that he was unclear of all the details in Sioux City, but that he remembers being arrested at a house in Sioux City, Iowa. [redacted] stated that he believed that [redacted] was a fugitive from the law for the last nine months. He stated that he knew that he was wanted in connection with his involvement in the [redacted] ROUSE stated that he would testify to the information which he had furnished to the interviewing Agent.

[redacted] also told the interviewing Agent and Agent [redacted] that they could search his car.

A few moments later, ROUSE was again asked if he would give his consent to search his vehicle in the presence of the following people:

SA [redacted]
Agent [redacted]
SA [redacted] JR.,
[redacted] Assistant Attorney General
for the State of South Dakota.
[redacted] Sioux City Police Department
identification expert.

[redacted] readily consented to having his car searched. [redacted] stated that he had purchased the car a few weeks

RC 70-11609

earlier and he did not yet have it registered in his name.

The following description was obtained through observation and interview:

Name	[REDACTED]
Race	Indian
Sex	Male
Date of birth	[REDACTED]
Place of birth	Winner, South Dakota
Height	5'5"
Weight	120
Hair	Black
Eyes	Brown
Residence	[REDACTED] Wagner, South Dakota

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

MERLE L. OFFERDAHL, Chief of Police, Vermillion, South Dakota Police Department, turned over to SA WILLIAM R. SCHROEDER a .22 caliber high standard revolver with a six-inch barrel Serial Number [REDACTED] which he had received from [REDACTED] on this date. [REDACTED] is the [REDACTED] of the Year-McGee Gas Station in Vermillion, South Dakota. [REDACTED] told him that he had received this weapon from a customer at approximately 7:30 AM this date in exchange for \$9 worth of gasoline and \$2 in cash.

The individual leaving the weapon was an Indian male who signed an invoice receipt in the name of [REDACTED]. This individual told [REDACTED] that he was a student and would return on Friday to pick up the gun. This individual was accompanied by three other Indian males and one Indian female.

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198-518
5/5/76 Vermillion, South Dakota RC 70-11609-30
Interviewed on _____ at _____ File # _____
by SA WILLIAM R. SCHROEDER:dl Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

5/7/76

Date of transcription

[redacted] Captain of Police, Vermillion Police Department, Vermillion, South Dakota, advised that early in the morning of May 5, 1976, his office received a teletype message with the description of a car wanted in connection with a shooting which had occurred in Wagner, South Dakota. At the instruction of MERLE L. OFFERDAHL, the Chief of Police of the Vermillion Police Department, his office commenced telephoning all of the gas stations in Vermillion, South Dakota, in order to give to them the description of the car mentioned in the teletype.

When his office called [redacted] at the Kerr-McGee Gas Station in Vermillion, [redacted] said that he thought the car described may have already been there. BYE stated that a car containing four Indian males and one Indian female had driven into his station and gave him a .22 caliber revolver in exchange for gas.

[redacted] and Chief OFFERDAHL then drove out to the Kerr-McGee Gas Station and obtained the weapon from [redacted] told him that the car the five Indians had driven up in was a 1967 Ford with a South Dakota license with the prefix of eight and that he could not remember the other numbers.

Interviewed on 5/5/76 at Vermillion, South Dakota File # 198-518-RC-70-11609-29
by SA WILLIAM R. SCHROEDER:dl Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted], Realty Office,
Yankton Sioux Tribe, stationed at Wagner, South Dakota,
furnished the following information regarding enrollment
data for the following four people:

Name	[redacted]
Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Blood quantum	19/32 degree Yankton Sioux Indian
Enrollment #	[redacted]
Father	[redacted]
Mother	[redacted]
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Name	[redacted]
Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Blood quantum	7/8 degree Yankton Sioux Indian
Enrollment #	[redacted]
Father	[redacted], SR.
Mother	[redacted]
Name	[redacted]
Race	Indian
Sex	Male
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Blood quantum	3/8 degree Yankton Sioux Indian
Enrollment #	[redacted]
Father	[redacted]
Mother	[redacted]
Name	[redacted]
Race	Indian
Sex	Male

Interviewed on 5/6/76 at Wagner, South Dakota

File #

by SA [redacted] :dl

Date dictated

198-518
RC-70-11609-28
5/7/76

RC 70-11609

Date of birth	[REDACTED]
Place of birth	Winner, South Dakota
Blood quantum	1/8 degree Yankton Sioux Indian
Enrollment #	[REDACTED]
Father	[REDACTED]
Mother	[REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

5/7/76

Date of transcription

FRED ZEPHIER, Indian male, approximately age 75, after being advised of the identity of the interviewing Agent, was interviewed at his residence regarding any knowledge he possessed of the shooting of RUSSELL MEANS [redacted] that occurred near his house during the previous evening. Also present in the interview and assisting with the interview was [redacted] Agent with the South Dakota Division of Criminal Investigations.

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ZEPHIER stated that he had no first-hand knowledge of the shooting and could furnish no information about it. However, he stated that he was working near Marty Mission until about 3:00 AM when [redacted] picked him up. FISHER told him at that time that "RUSSELL [redacted] at his house.

ZEPHIER stated that [redacted] and [redacted] were sleeping at his house at the time as were [redacted] and [redacted]. ZEPHIER stated that he understands that they were awakened by gunshots and that [redacted] MEANS banged on their doors and that is when they discovered they were shot. ZEPHIER stated that they should be contacted for additional details.

ZEPHIER furnished the interviewing Agent with a bloody blue shirt that was being worn by either MEANS [redacted]. ZEPHIER did not know which individual was wearing the shirt. ZEPHIER also gave the interviewing Agent permission to take photographs of the interior and exterior of his house.

198-518

Interviewed on 5/5/76 at Wagner, South Dakota File # ~~RC-70-11609~~ -27

by SA [redacted] :dl Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

[redacted] of Police, Yankton Indian Reservation, was contacted at the Bureau of Indian Affairs (BIA) Office at Wagner, South Dakota. He was advised of the identity of the interviewing Agent and advised that he was being interviewed concerning his knowledge of the shooting of RUSSELL MEANS [redacted] at Wagner, South Dakota, on May 5, 1976.

[redacted] stated that he was notified at approximately 4:00 a.m. by the Wagner, South Dakota, Police Department regarding a shooting at the Wagner Housing, Wagner, South Dakota. He stated that the Police Department could not advise of the exact location of the shooting, however, he did state that the people who were shot were at the Public Health Hospital at Wagner, South Dakota.

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He said that he proceeded to the hospital with Officer [redacted] and that when they arrived at the hospital he spoke to a woman whose identity he did not know and stated that he told her that someone would be back to interview the individuals who were shot. He said that he observed RUSSELL MEANS on the table and [redacted] was beside him and he heard MEANS say [redacted]. He stated he asked an unknown male who was in the hospital who [redacted] was and this unidentified male identified [redacted] as [redacted].

He stated that Officer [redacted] and himself then left the hospital and proceeded to the Wagner Housing and contacted a City Police Officer who he did not know and the City Police Officer advised them that he knew the house where the shooting had taken place. He said that they followed the police officer and went to House [redacted] of the Wagner Housing. He stated that [redacted] resides at that house.

He said that they made a swing through the housing area and at approximately 4:15 a.m. they found a young girl walking and before they could say anything this young girl stated that she had [redacted]. He stated that she identified herself as [redacted]. He stated that they observed another girl coming from behind the house and she identified herself as [redacted]. He advised that this

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-RC-70-44609-26
by SA [redacted] amj Date dictated 5/7/76

girl also indicated that she was a witness [redacted]
He stated that they put both girls in the police car and
went to the Wagner, South Dakota, Police Department.

He advised that [redacted] reported that [redacted]
[redacted] RUSSELL MEANS and that [redacted]
He said that he wrote a statement out concerning
what [redacted] told him. In addition, he advised that concern-
ing the statement when [redacted] said that "they ran back into
the house" she was referring to House [redacted]

He stated that [redacted] also stated that [redacted]
RUSSELL MEANS and that [redacted] He
indicated that the information that was furnished to him by
[redacted] was also made into a statement. He stated that when
she referred to the house she was also referring to House [redacted]
when she indicated that they ran back into the house.

He further advised that both girls said that [redacted]
and [redacted] got into a white car that was jacked up in the
back and [redacted]

He stated that when the girls referred to him (last
name unknown) he thought they were referring to [redacted]

He stated that when they departed the housing area
they proceeded south to the airport and turned west on a gravel
road from the airport.

He said that he then awaited the arrival of the
Special Officer, [redacted] and when [redacted] arrived the went
looking for these individuals, however, were unable to locate
them.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

A search was conducted of House [redacted] Wagner Indian Housing, Wagner, South Dakota, County of Charles Mix, South Dakota, pursuant to a duly-authorized search warrant issued by Circuit Judge PAUL J. KERN, First Judicial Circuit, State of South Dakota, Lake Andes, South Dakota. The search commenced at 7:15 PM May 5, 1976, and terminated at 7:54 PM same date.

The search failed to reveal any of the items which the search warrant was issued for and nothing was seized from House [redacted] Wagner Indian Housing, Wagner, South Dakota.

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In the house at the time of the search were
[redacted] age 28; [redacted] age 25;
[redacted] age 16; [redacted] age 18 and [redacted]
five years of age.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
by SA's [redacted] WILLIAM R. SCHROEDER:d1 Date dictated 5/7/76
RE-70-11609-25

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

Officer [redacted] Pine Ridge, South Dakota, was contacted at the Bureau of Indian Affairs (BIA) Office at Wagner, South Dakota, where he was on special assignment. He was advised of the identity of the interviewing Agent and advised he was being interviewed concerning any information he has regarding the shooting of RUSSELL MEANS [redacted] at the Wagner Housing, Wagner, South Dakota, on May 5, 1976.

[redacted] stated that he was notified by the [redacted] Police concerning the shooting. He stated that [redacted] picked him up at the place he was staying and they proceeded to the Public Health Hospital at Wagner, South Dakota. He stated that he recognized RUSSELL MEANS, seeing him on the table. He said that he did not know the other person who was shot but an unidentified person identified the victim as [redacted]. He stated that the only thing that he could recall MEANS saying was "I'm shot" but could not recall him stating who shot him.

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He said that they stayed there for approximately ten minutes and then he and [redacted] proceeded to the Wagner Housing where they found two girls who indicated that they were witnesses to the shooting. He stated that he was only present for a short part of the interview of [redacted] and then went out to another part of the Wagner Police Department where he awaited the arrival of Special Officer [redacted].

Interviewed on 5 Wagner, South Dakota File # 198-518-
SA [redacted] [redacted] amj Date dictated 5/7/76
PC 70-44609-24

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

DONALD LOUDNER, Superintendent, Yankton Indian Reservation, Wagner, South Dakota, was contacted at his office and advised of the identity of the interviewing Agent. He was advised he was being interviewed concerning the shooting of RUSSELL MEANS [redacted] on May 5, 1976.

LOUDNER stated that he was at his residence in Armour, South Dakota, and at approximately 1:45 a.m. on May 5, 1976, he received a telephone call from an unidentified male who stated "LOUDNER, was RUSS MEANS at the meeting held last night?" He stated he answered that he did not know in that he arrived at the meeting after it broke up. He stated that this unidentified caller then asked if MEANS was in the area and then hung up.

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He stated at approximately 3:50 a.m. on May 5, 1976, he received a telephone call from the dispatcher at Lake Andes, South Dakota, who reported that there was a shooting at the Wagner Housing. He stated he immediately proceeded from Armour to Wagner, South Dakota, and went to the Wagner, South Dakota, Police Department and spoke to a Police Officer who reported to him that there was a shooting at the Wagner Housing. He said that this officer, whose name he did not know, advised him that he went to check on the incident and as he was entering the Wagner Housing he observed a 1967 Ford coming out of the Housing area.

He stated that this officer told him that RUSSELL MEANS and [redacted] were at the Public Health Hospital in Wagner, South Dakota, both suffering from gunshot wounds. He said that he immediately proceeded to the hospital with the Chief of Police at Wagner, South Dakota.

He said that when they arrived he ascertained that the ambulance was ready and was going to take both MEANS and [redacted] to the hospital in Yankton, South Dakota.

He stated he talked to [redacted] and [redacted] did not say anything but pointed with his right hand to his face. He said that he saw a [redacted]

Interviewed on 5/7/76 at Wagner, South Dakota File # 198-518-23
by SA [redacted] amj Date dictated 5/7/76

RC 70-11609

He further advised that RUSSELL MEANS was on a stretcher and indicated that he wanted to talk to him. He said that he asked MEANS what had happened and MEANS said "get him". He stated he asked MEANS [REDACTED] MEANS said [REDACTED] In addition, he advised that MEANS was upset with him for bringing in Police Officers from Pine Ridge, South Dakota, and that MEANS wanted to talk to him about this matter indicating that he would be back in June, 1976, and he, MEANS, wanted the Pine Ridge "pigs" out of there. He indicated that RUSSELL MEANS had been drinking as he could smell alcohol on MEANS' breath.

He said that RUSSELL MEANS told him that [REDACTED] and [REDACTED] were also there and that MEANS stated that [REDACTED] He said that he asked MEANS what kind of car it was and MEANS stated that it was a brown Ford.

He stated that he then leaned down to [REDACTED] who was on a stretcher and asked [REDACTED] [REDACTED] said in a low voice, [REDACTED] and then started to cry.

He stated that the ambulance then left Wagner en route to Yankton, South Dakota. He stated that he then went to his office in Wagner, South Dakota, to make the proper notifications.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

[redacted] House [redacted] Wagner Housing, Wagner, South Dakota, was contacted at the Wagner, South Dakota Police Department. He was advised of the identity of the interviewing Agents and orally advised by SA [redacted] of his rights. SA [redacted] furnished him with a form entitled "Your Rights" which he read, indicated he understood and signed. He was advised he was being interviewed concerning his knowledge of the shooting of RUSSELL MEANS [redacted] at the Wagner Housing, Wagner, South Dakota, on May 5, 1976. [redacted] Special Agent, South Dakota Division of Criminal Investigation, was present during the interview.

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He stated that he was at his residence on May 4, 1976, and that at approximately 10:00 PM he went by himself to the [redacted] residence. He said when he arrived at the residence [redacted] and three or four young children were at the residence. He stated when he arrived, he observed that everyone there was drinking. He stated that prior to going to the residence, he had not had anything to drink. He further advised that [redacted] came to the residence and [redacted] and he left the residence and got into a car with [redacted] and [redacted]. He said that they drove around the Wagner Housing area and got back to the [redacted] residence at approximately 10:30 - 11:00 PM on May 4, 1976. He said that when they arrived back, RUSSELL MEANS, [redacted] and First Name Unknown (FNU) [redacted] and [redacted] were at the [redacted] residence. He said that all people at the [redacted] residence were drinking and were pretty well drunk.

He said that the conversation was about guns and that RUSSELL MEANS sent [redacted] out to get a gun. He said that shortly after that, [redacted] returned with a 30 caliber carbine with a 20-round clip. He said that [redacted] took the gun and racked a cartridge into the chamber and it became lodged and [redacted] was unable to get it out. He said that [redacted]

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518-22
SA's WALTER P.J. QUIGLEY [redacted] dl Date dictated 5/7/76

[redacted] and himself went outside of the house and [redacted] fired the weapon six or seven times into the air.

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He said that they went back into the house and [redacted] asked RUSSELL MEANS to give him that gun, but MEANS refused. He said that MEANS and [redacted] continued talking, but they were not arguing.

He said shortly thereafter, [redacted] and himself started wrestling and RUSSELL MEANS and [redacted] started arguing about something. He said that they then shook hands and were laughing. He also stated that [redacted] then suggested to RUSSELL MEANS that they go outside and "spar a round", but MEANS refused.

He said everyone then started leaving the [redacted] residence and [redacted] took the carbine outside to a white station wagon and sat in this car for a while.

He said that [redacted] and RUSSELL MEANS went out of the house and then came back into the house into the living room and were talking. MEANS had a .25 caliber silver automatic that he put into his boot and [redacted] asked to see the weapon. He said that MEANS and [redacted] started arguing about the gun. He said that MEANS did not want to give the gun to [redacted]. He further stated that MEANS took the gun out of the boot and was holding it and left the house. As he was leaving, he fired a shot into the air. [redacted] followed MEANS to outside of the FRED ZEPHIER residence, which is next door to the [redacted] residence and they were still arguing about the gun.

He said that [redacted] who was still in the house with him, got up with a .22 rifle and went outside. He said that he heard approximately six shots and he went to the window and saw [redacted] shooting at the white station wagon. He saw [redacted] get out of the other side of the car. He said that he also observed [redacted] with a .22 caliber pistol shooting at the station wagon also. He stated that he left the house by the back door and departed the area.

RC 70-11609

He stated that as far as he could tell, when he left, no one had been hit by the gunfire. He further stated that he observed [redacted] and [redacted]

[redacted] with [redacted]

The following description of [redacted] was obtained through observation and interview:

Sex	Male
Race	American Indian
Age	18
Date of birth	[redacted]
Place of birth	Wagner, South Dakota
Height	5'7½"
Weight	143
Hair	Black
Eyes	Brown
Marital status	Single
Education	G.E.D., South Dakota Training School, Plankington, South Dakota
Employment	Yankton Sioux Tribe as a laborer
Mother	[redacted] Wagner, South Dakota
Arrests	Malicious mischief, Wagner, South Dakota, for which he served five months and six days in the State Training School.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 7, 1976

[redacted] House [redacted] Wagner Housing, Wagner, South Dakota, was contacted at the parking lot of the Dog-N-Suds Restaurant, Wagner, South Dakota. She was advised of the identity of the interviewing Agent and advised she was being interviewed concerning the shooting of RUSSELL MEANS [redacted] at the Wagner Housing, Wagner, South Dakota, on May 5, 1976. Sheriff RUBEN HUBER, Charles Mix County, and [redacted] Special Agent, South Dakota Division of Criminal Investigation, were present during the interview.

She advised that she is the owner of a 1965 black Chevrolet Impala. She also advised that on the early morning hours of May 5, 1976, she was in the car with [redacted] and her ex-husband [redacted].

She said that she was not with RUSSELL MEANS during the early morning hours of May 5, 1976, and she has no knowledge concerning the shooting of MEANS [redacted]. She stated that she arrived at her residence at approximately 4:00 a.m. She said that she did not see [redacted] and she does not know [redacted].

She stated she recalled that House [redacted] was all lit up but she did not see anyone outside of the house.

Interviewed on 5/5/76 at Wagner, South Dakota File # 198-518
RC 70-11609-21
by SA [redacted] /amj Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

Agency Special Officer [redacted] Crow Creek Indian Reservation, Ft. Thompson, South Dakota, who also covers the Yankton Sioux Indian Reservation, Wagner, South Dakota, furnished original handwritten document prepared by [redacted] Bureau of Indian Affairs Police Officer. This document which is attached, depicts the interview of [redacted]

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198-518-
Interviewed on 5/5/76 [redacted] er, South Dakota File # RC 70-11609-20
by SA [redacted] 11 Date dictated 5/7/76

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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B.T

SHOOTING INCIDENT OCCURRED AT [REDACTED]
AT WAGNER HOUSING,

5-5-76 4:30 A.M. Statement Taken from
[REDACTED] at Wagner Police Dept.

I mean [REDACTED]

[REDACTED] with [REDACTED]

[REDACTED] (last name unknown at this time). A fight
started in the house [REDACTED] with [REDACTED]

[REDACTED] involved, [REDACTED]

[REDACTED] some [REDACTED] girls came out of the house [REDACTED]

[REDACTED] They are jumping around like he was going
to fight some guys in a blue pickup, the
pickup left and they went back in the house. We
were just sitting there and [REDACTED]
and Russel came out of the house, Russel went
over to [REDACTED] house but no one would open

[REDACTED] and

[REDACTED] up and came back to [REDACTED] house. Russel
came back out of the house and sat [REDACTED]
with us in the back and [REDACTED] came over
asked Russel if [REDACTED] Russel then stated
he wasn't and [REDACTED]

[REDACTED] Russel and [REDACTED]

Russel then sat us and ran across the street but

[REDACTED] by [REDACTED] and [REDACTED]

Then told him (Russel)

[REDACTED] and he did [REDACTED] then asked Russel to join

[REDACTED] Russel then [REDACTED]

Then went across the street and told

[REDACTED] and [REDACTED]

Then [REDACTED]

Then [REDACTED]

Russel and [REDACTED]

Russel and [REDACTED] then they were in the
house and came back out with no guns and

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II

left in a white car picked up, the
car belongs to Larry Praeger who was also
there,

End of statement 5:00 A.M.

Taken by

W.T. O.T.

15 years old D.O.B.

Wagon, So. Dak.

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FEDERAL BUREAU OF INVESTIGATION

5/7/76

Date of transcription

[redacted] Wagner, South Dakota, voluntarily appeared at the Wagner, South Dakota, Police Department. He was advised of the identities of the interviewing Agents and orally advised of his rights by SA QUIGLEY. SA QUIGLEY furnished him a form entitled, "Your Rights", which he read, indicated he understood and signed. He was advised he was being interviewed concerning his knowledge regarding the shooting of RUSSELL MEANS and [redacted] at the Wagner Housing, Wagner, South Dakota, on May 5, 1976. Sheriff RUBEN HUBER, Charles Mix County, Lake Andes, South Dakota, was present during the interview.

He advised that at approximately 7:00 PM on May 4, 1976, he left Wagner, South Dakota, with his brothers, [redacted] and [redacted] and [redacted], and went to Lake Andes, South Dakota, to the bars. He stated that he could not give an exact time that they stayed in Lake Andes, South Dakota, but he did recall arriving back at his residence at approximately 1:30 - 2:00 PM.

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He stated that when he arrived at his residence, he immediately went through the house, went down to the basement and went to sleep. He stated there were a number of people in the house, but he could not say who was there. He said that he did not recall seeing [redacted] his brother, [redacted] or RUSSELL MEANS. He said that he did not know who [redacted] was.

When questioned concerning wrestling with [redacted] he stated that he could slightly remember doing this.

He stated he had no knowledge whatsoever concerning the shooting of MEANS [redacted]

The following description of [redacted] was obtained through observation and interview:

Interviewed on 5/5/76

Wagner, South Dakota

File 198-518-
RC-70-11609-19

by SA's WALTER P.J. QUIGLEY

:dl Date dictated 5/6/76

RC 70-11609

Sex	Male
Race	American Indian
Date of birth	[REDACTED]
Place of birth	Wagner, South Dakota
Height	5' 11"
Weight	145
Hair	Black
Eyes	Brown
Education	High School graduate
Employment	Yankton Sioux Tribe
Arrests	Admitted arrest for car theft.

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FEDERAL BUREAU OF INVESTIGATION

5/7/76

Date of transcription

Mr. [redacted] Social Worker, Department of Social Services, State of South Dakota, advised [redacted] is one of his clients. He said as a matter of supervision, he had helped [redacted] who is under his guardianship by the State of South Dakota, purchase an automobile at the Norwick Motors in Mitchell, South Dakota. He described the vehicle as a white 1965 Dodge with black interior. The vehicle, according to [redacted] currently bears 1975 South Dakota license [redacted]

[redacted] advised [redacted] paid for the car from his savings. The cash amount of total purchase was \$200.

[redacted] advised [redacted] even though the original owner, was not supposed to drive the vehicle from the vicinity of Greenwood Housing, Marty Mission area. He said this restriction he had placed on the vehicle because [redacted] had not purchased insurance for the vehicle at the present time.

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Interviewed on 5/6/76 at Lake Andes, South Dakota File # 198-518
RC 70-11609-17
by SA [redacted] dl Date dictated 5/7/76

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

Agency Special Officer [redacted] Crow Creek
Indian Reservation, Ft. Thompson, South Dakota, who also
covers the Yankton Sioux Indian Reservation, Wagner,
South Dakota, furnished original handwritten document
prepared by [redacted] Bureau of Indian Affairs Police
Officer. This document which is attached, depicts the
interview of [redacted]

b6
b7C

Interviewed on 5 [redacted] ner, South Dakota File # 198-518-
SA [redacted] 1 PC-70-11609-16
by SA [redacted] 1 Date dictated 5/7/76

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

5-5-76 6:05 P.M. Statement Taken from
[redacted] at the Wagner Police Dept.

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[redacted] with [redacted]
[redacted] then [redacted] came
out at the house who were [redacted]
[redacted] they started
shooting [redacted] was with rifle and
started shooting the gun in the air, Russell
then went next door to Fred Zepher's house
but call it out in the [redacted] to
the [redacted] then
came to the car with [redacted] and
Russell [redacted] then Russell
[redacted] then [redacted]
at Russell and [redacted] then
all three of them boys started shooting their
guns, then [redacted] went in the house and
stood at the front door and [redacted]
[redacted] car, then my [redacted] got
[redacted] and started [redacted]
[redacted] then [redacted]
[redacted] [redacted]
[redacted] and left [redacted]
[redacted] then
came around the car and took [redacted]
[redacted] and [redacted]
and [redacted] male [redacted]
[redacted] and [redacted]
then [redacted] behind [redacted]
[redacted] house, then we heard a gun
shot and heard somebody yell then we went
up door and we saw [redacted]

II

B6

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Russell Means. I think [redacted]
[redacted] then they ran back in
the house and came back out without their
guns, then they got in [redacted] car
and came out of the housing without lights
and went towards the airport and went west
on that gravel road.

End of statement 5:35 A.M.
Taken by [redacted]

Witness Data:

[redacted] AKA [redacted]
[redacted]

Dagner, D. Dak.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE OMAHA	OFFICE OF ORIGIN MINNEAPOLIS	DATE 5/11/76	INVESTIGATIVE PERIOD 5/5/76
<div style="border: 1px solid black; width: 250px; height: 80px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100px; height: 20px; display: inline-block;"></div> aka; RUSSELL MEANS - VICTIM; <div style="border: 1px solid black; width: 100px; height: 20px; display: inline-block;"></div> - VICTIM CIR-ADW; JDA		REPORT MADE BY SA <div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block;"></div>	TYPED BY new
		CHARACTER OF CASE 1. CIR-ADW; JDA 2. CIR-ADW; BURGLARY	

OO: RAPID CITY (MINNEAPOLIS)

 - FUGITIVE;
ET AL
CIR-ADW; BURGLARY
OO: RAPID CITY (MINNEAPOLIS)

REFERENCES: Omaha nitel to Bureau, 5/5/76;
Rapid City teletypes to Bureau, 5/5/76 and 5/6/76.

-P-

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
		1-OM						
APPROVED <i>EJK/WEK</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: 4 - Bureau (2 - 70-MEANS SHOOTING) (2 - 70-65273) 5 - Rapid City (2 - 70-11609) (2 - 70-9926) (1 - USA, Sioux Falls, South Dakota) 2 - Omaha (70-1928)						DO NOT WRITE IN SPACES BELOW		
						<div style="text-align: right; font-size: 1.2em;">198-518-</div> <div style="text-align: right; font-size: 1.2em;">70-11609-15</div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> SEARCHED INDEXED SERIALIZED FILED MAY 15 1976 FBI - MINNEAPOLIS <i>Schneider</i> </div>		
Dissemination Record of Attached Report						Notations		
Agency								
Request Recd.								
Date Fwd.								
How Fwd.								
By								

COVER PAGE

OM 70-1928

LEAD

OMAHA

AT SIOUX CITY, IOWA

Will obtain Sioux City Police Department investigative report concerning this matter.

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Attorney, Sioux Falls, South Dakota

Report of: SA [REDACTED]
Date: May 11, 1976

Office: OMAHA

b6
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Field Office File #: 70-1928

Bureau File #: 70-MEANS SHOOTING
70-65273

Title:

XXXXXX
Character:

RUSSELL MEANS - VICTIM;
[REDACTED] - VICTIM

Character: CRIME ON AN INDIAN RESERVATION - ASSAULT WITH A DEADLY WEAPON;
SYNOPSIS JUVENILE DELINQUENCY ACT

Title:

ET AL

Character: CRIME ON AN INDIAN RESERVATION - ASSAULT WITH A DEADLY WEAPON;
BURGLARY

Synopsis:

[REDACTED] and [REDACTED] were arrested by FBI Agents and Sioux City, Iowa, officers on the morning of 5/5/76 at Sioux City, Iowa. [REDACTED] and [REDACTED] were arrested at the residence located at [REDACTED] Street. BLACK ELK and PROVOST were arrested in white 1965 Dodge, bearing South Dakota license [REDACTED] in 800 block of Cook Street. Also located at above residence was a National Ordinance .30 caliber rifle and an INA five shot .38 caliber revolver. A quantity of .30 caliber, .38 caliber and .22 caliber ammunition was also recovered. Subjects returned to Sioux Falls, South Dakota, same date by U.S. Marshals. ARMED AND DANGEROUS.

-P-

DETAILS

This investigation was initiated on May 5, 1976, upon information furnished by Special Agent LARRY DICK, Federal Bureau of Investigation (FBI), Sioux Falls, South Dakota, who informed Special Agent (SA) [REDACTED] FBI, Sioux City, Iowa, that RUSSELL MEANS and [REDACTED]

OM 70-1928

[redacted] earlier that morning at Wagner, South Dakota, which is a Federal Indian Reservation. MEANS and [redacted] were both in serious condition and were scheduled to undergo surgery. SA [redacted] furnished additional information concerning the shooting, including the information that [redacted] [redacted] and [redacted] were believed involved in the shooting. Information had been obtained that these and possibly other individuals were en route to visit [redacted] at [redacted] Sioux City, Iowa. SA [redacted] also advised that [redacted] was a Federal fugitive at that time as he was wanted on a Federal warrant issued in South Dakota involving a crime on an Indian reservation.

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OM 70-1928

The following descriptions were obtained during booking procedures at the Sioux City, Iowa, Jail. These individuals had been arrested on May 5, 1976, in connection with the shooting of RUSSELL MEANS [redacted] at Wagner, South Dakota.

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Name
Sex
Race
Date of Birth
Height
Weight
Hair
Eyes
Social Security
Account Number
Residence
Tattoo

[redacted]
Male
Indian
[redacted]
5'8"
163
Black
Brown
[redacted]
Lake Andes, South Dakota
[redacted]

Name
Sex
Race
Date of Birth
Height
Weight
Hair
Eyes
Social Security
Account Number
Residence

[redacted]
Male
Indian
[redacted]
5'5"
120
Black
Brown
[redacted]
None listed

Name
Sex
Race
Date of Birth
Height
Weight
Hair
Eyes
Tattoo
Residence

[redacted]
Male
Indian
[redacted]
5'11"
160
Black
Brown
[redacted]
Wagner, South Dakota

OM 70-1928

Name	[REDACTED]
Sex	Male
Race	Indian
Date of Birth	[REDACTED]
Height	5'5"
Weight	136
Hair	Black
Eyes	Brown
Residence	Greenwood, South Dakota
Scar	[REDACTED]

b6
b7C

Name	[REDACTED]
Sex	Male
Race	Indian
Date of Birth	[REDACTED]
Height	5'8"
Weight	147
Hair	Black
Eyes	Brown
Social Security Account Number	[REDACTED]
Residence	Rapid City, South Dakota

The individual who identified himself as [REDACTED]
[REDACTED] at the time he was booked into the Sioux City Jail
was later identified as being [REDACTED]

On May 5, 1976, SA [REDACTED] [REDACTED] FBI, Pierre,
South Dakota, advised he intended to take possession of the
evidence which had been obtained from the above individuals.
SA [REDACTED] stated Federal charges were being filed at Sioux
Falls, South Dakota, at that time against [REDACTED]

[REDACTED] and [REDACTED]
[REDACTED] for their involvement in the shooting of RUSSELL MEANS and
[REDACTED] earlier that day. Arrangements were being made
to have these individuals returned to Sioux Falls by U.S.
Marshals.

(Mount Clipping in Space Below)

Shooting defendants bound over for trial

SIoux FALLS (AP) — Four men charged in the shootings of American Indian Movement leader Russell Means and AIM member John Thomas have been bound over to federal court in Sioux Falls for trial.

In other action Wednesday, U.S. Magistrate David Vrooman reduced bond for two of the defendants.

Vrooman bound James Weddell, 19, and Michael Weston, 18, both of Wagner over for trial on charges of assault with intent to kill.

Gerald Black Elk, 18, Rapid City, and Terry Provost, 23, Lake Andes, were bound over for trial on two counts each of being accessories after the fact.

The four defendants will be tried by U.S. District Court Judge Fred Nichol. No trial date was set.

Vrooman reduced Black Elk's bond from \$15,000 to \$1,000 and Provost's bond from \$15,000 to \$2,500. Neither man posted the money immediately.

The magistrate did not reduce bail for Weddell and Weston, who remain in custody under \$25,000 bond.

Means and Thomas were shot on Wednesday of last week in a housing project near Wagner. They are listed in good condition in a Yankton hospital.

In a separate case, Weddell was arraigned Wednesday afternoon before Judge Nichol in connection with the takeover of a pork plant at Wagner last year.

He is charged with two counts of

assault and one count of breaking and entering in the May 2, 1975 incident.

Weddell pleaded innocent to the charges. Nichol set bond at \$25,000.

Six co-defendants had pleaded innocent to federal charges in connection with the takeover but later changed their pleas to guilty. However, Weddell had escaped from custody and was at large at the time.

(Indicate page, name of newspaper, city and state.)

PAGE 2

RAPID CITY
JOURNAL

RAPID CITY,
SOUTH DAKOTA

Date: May 13, 1976

Edition: FINAL

Author:

Editor: JAMES M. KUEHN

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

198-518-
70-11609-13
SEARCHED ☒ INDEXED ☒
SERIALIZED ☒ FILED ☒

MAY 13 1976

Schroeder

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RAPID CITY	OFFICE OF ORIGIN RAPID CITY	DATE 5/10/76	INVESTIGATIVE PERIOD 5/5 - 5/10/76
TITLE OF CASE [REDACTED] aka; RUSSELL MEANS - VICTIM; [REDACTED] - VICTIM		REPORT MADE BY WILLIAM R. SCHROEDER	TYPED BY arw
[REDACTED] 70-9926 76-2830 70-11609 70-11609 70-11609 70-11609		CHARACTER OF CASE CIR - ASSAULT WITH INTENT TO KILL; JDA	

Title changed to reflect crime with which subjects charged.

REFERENCESb6
b7C

Rapid City teletype dated 5/5/76 captioned "Unsubs;
RUSSELL CHARLES MEANS - Victim; [REDACTED] - Victim;
CIR - Assault;"

Rapid City teletype dated 5/5/76 captioned "Changed:

[REDACTED]
[REDACTED]
[REDACTED]
RUSSELL MEANS - Victim; [REDACTED] - Victim;
CIR - ADW";

Rapid City teletype dated 5/6/76 captioned "Changed:

[REDACTED]
[REDACTED]
[REDACTED] aka;
[REDACTED] RUSSELL MEANS - Victim;
[REDACTED] Victim; CIR - ADW; JDA.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:			
2 - Bureau			
1 - USA, Sioux Falls, South Dakota			
1 - ASO, BIA, Fort Thompson, South Dakota			
1 - Minneapolis			
2 - Rapid City (70-11609)			
[REDACTED]		198-518- [REDACTED]	
[REDACTED]		70-11609-12	
Dissemination Record of Attached Report		SEARCHED INDEXED SERIALIZED FILED	
Agency		MAY 17 1976	
Request Recd.		FBI - MINNEAPOLIS	
Date Fwd.		Schroeder	
How Fwd.			
By			

COVER PAGE

RC 70-11609

LEADS

MINNEAPOLIS

AT YANKTON, SOUTH DAKOTA

Will attempt to locate and interview [redacted]
[redacted] concerning incident at Wagner and his attendance
at party on 5/5/76.

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RAPID CITY

AT PIERRE, SOUTH DAKOTA

Will conduct logical investigation.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1 - USA, Sioux Falls, South Dakota
1 - [REDACTED] Agency Special Officer
Yankton Indian Reservation
Fort Thompson, South Dakota

Copy to:

Report of:
Date:

WILLIAM R. SCHROEDER
May 10, 1976

Office: Rapid City, South Dakota

Field Office File #:

70-11609

Bureau File #:

Title:

[REDACTED]

b6
b7C

~~XXXXXX~~

RUSSELL MEANS - VICTIM;
[REDACTED] - VICTIM

Character:
~~XXXXXX~~

CRIME ON INDIAN RESERVATION - ASSAULT WITH
INTENT TO KILL; JUVENILE DELINQUENCY ACT

Synopsis:

Victims, RUSSELL MEANS and [REDACTED]
5/5/76, Wagner, South Dakota. Victims interviewed
and signed statement obtained from MEANS. Witnesses
interviewed. Weapons recovered. [REDACTED]
[REDACTED] Indian male, DOB [REDACTED]
[REDACTED] Indian male, DOB [REDACTED] Indian
male, DOB [REDACTED] Indian male, DOB
[REDACTED] and [REDACTED] Indian male, DOB
[REDACTED] arrested same date, Sioux City, Iowa,
on authorization of USA, Sioux Falls, South Dakota.
Complaints filed and warrants issued charging above
subjects with violation of Title 18, USC, Sections
1153 and 113(a). Information filed on [REDACTED]
Subjects arraigned before U. S. Magistrate, Sioux Falls,
on 5/6/76. Preliminary hearing for 5/11/76. Bond
set for [REDACTED] and [REDACTED] at \$15,000 at 10%.
[REDACTED] and [REDACTED] bond set at \$25,000 at 10%.
Bond for [REDACTED] is set at \$5,000 at 10%. Bond
reduction hearing held on 5/7/76 and denied.

-P-

TABLE OF CONTENTS

	<u>Page</u>
I. Predication and Jurisdiction	3
II. Victims' Statements	13
III. Witnesses Statements	23
IV. Recovery of Revolver	60
V. Investigation at Sioux City, Iowa	65
VI. Miscellaneous Investigation	81

RC 70-11609

DETAILS

PREDICATION AND JURISDICTION

RC 70-11609

This investigation is predicated on the receipt of information obtained from DONALD LOUDNER, Superintendent of the Yankton Sioux Indian Reservation on May 5, 1976, to wit, RUSSELL MEANS and [REDACTED] were shot in the early morning hours of May 5, 1976, at Wagner, South Dakota.

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RC 70-11609

VICTIMS' STATEMENTS

RC 70-11609

WITNESSES STATEMENTS

RC 70-11609

RECOVERY OF REVOLVER

RC 70-11609

INVESTIGATION AT SIOUX CITY, IOWA

RC 70-11609

MISCELLANEOUS INVESTIGATION

FEDERAL BUREAU OF INVESTIGATION

(1)

Date of transcription May 9, 1976

A crime scene investigation was performed in the Indian Housing area, Wagner, South Dakota, by Special Agent (SA) [redacted] of the FBI and SA [redacted] of the Division of Criminal Investigation (DCI), Platte, South Dakota. Nothing of evidentiary character was noted. Photographs were taken by SA [redacted] of DCI, Pierre, South Dakota.

A white Pontiac Tempest station wagon parked in front of House 407 in Wagner Housing area was impounded as part of the crime scene and stored at Fetchner's Garage, Wagner, South Dakota.

b6
b7C

Interviewed on 5/5/76 at Wagner, South Dakota File # RC 70-11609

by SA [redacted] :arw Date dictated 5/9/76

-86-

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FEDERAL BUREAU OF INVESTIGATION

(1)

Date of transcription May 10, 1976

One spent projectile was recovered from the left rear door of a white Pontiac Tempest station wagon at 3:15 p.m. by Special Agent [redacted] of the FBI and Special Agent [redacted] Division of Criminal Investigation, Pierre, South Dakota.

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b7C

Interviewed on 5/5/76 at Wagner, South Dakota File # RC 70-11609

by SA [redacted] :arw Date dictated 5/9/76

-88-

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/7/76

1

A search was conducted of House [redacted], Wagner Indian Housing, Wagner, South Dakota, County of Charles Mix; South Dakota, pursuant to a duly-authorized search warrant issued by Circuit Judge PAUL J. KERN, First Judicial Circuit, State of South Dakota, Lake Andes, South Dakota. The search commenced at 7:15 PM May 5, 1976, and terminated at 7:54 PM same date.

The search failed to reveal any of the items which the search warrant was issued for and nothing was seized from House [redacted] Wagner Indian Housing, Wagner, South Dakota.

In the house at the time of the search were

[redacted]
[redacted] and [redacted]
[redacted]

Interviewed on 5/5/76 at Wagner, South Dakota File # RC 70-11609
by SA's [redacted] WILLIAM R. SCHROEDER:d1 Date dictated 5/7/76

-89-

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA

Magistrate's Docket No. _____
Case No. _____

UNITED STATES OF AMERICA

v.

AND

SEARCH WARRANT

Affidavit having been made before me by [redacted] and William R. Schroeder that they have reason to believe that on the premises known as: house number [redacted] Wagner Indian Housing; a brick and wood structure with blue trim in the City of Wagner, County of Charles Mix, South Dakota, located on a tract of land in the E 1/2 of W 1/2 of SE 1/4 of Sec. 4, Twp. 95 N., Range 63, W. of the 5th P. M., as follows: Beginning at the Northeast corner of the W 1/2 of SE 1/4 of said Sec. 4, thence West along the quarter section line 75 feet to the true point of beginning, thence West along the said quarter section line 585 feet; thence South 1700 feet; thence East 595 feet; thence North 380 feet; thence East 65 feet; thence North 330 feet; thence West 75 feet; thence North 990 feet to the true point of beginning, containing 23.48 acres more or less there is now being concealed certain property, namely, rifles, pistols and cartridges which were used in the felonious shooting of one Russell Means [redacted] one [redacted] and the felonious shooting of one [redacted] one [redacted] and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the premises described as house number [redacted] of the Wagner Indian Housing in the City of Wagner, South Dakota, above described and that the foregoing grounds for application for issuance of the search warrant exist because of the statements taken from eye witnesses that saw the alleged felons enter said house after the shooting with the weapons and exit the house shortly thereafter without them.

You are hereby commanded to search forthwith the above named property for the property above specified serving the warrant and making the search at any time of the day or night and if the property be found there to seize it, leaving a copy of this warrant and a receipt for the property taken, and prepare a written inventory of the property seized and return this warrant and bring the property before me within 5 days of this date, as required by law.

Dated at Lake Andes, South Dakota this 5th day of May, 1976.

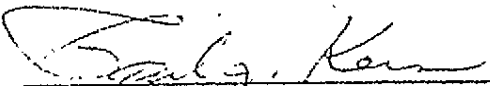
Circuit Judge State of South Dakota

I also personally took a statement from one [redacted] in which she stated that she saw [redacted] Russell Means on the 5th day of May, 1976, in the vicinity of the residence of [redacted] House number [redacted] Wagner Indian Housing, Wagner, South Dakota, and immediately thereafter she saw the said [redacted] go into the house of [redacted] Indian Housing, Wagner, South Dakota with the [redacted] Russell Means, and that shortly thereafter she saw the said [redacted] leave this same house without the gun. I took this statement approximately 5:00 A. M. on the 5th day of May, 1976.

I know from my own knowledge that Russell Means [redacted] in the early morning hours of May 5, 1976, and I know from my own personal knowledge that [redacted] lives in house number [redacted] Wagner Indian Housing, Wagner, South Dakota and that there is no other house numbered [redacted] in the Wagner, Indian Housing at Wagner, South Dakota to my best knowledge.

[redacted]

Subscribed and sworn to before me this 5th day of May, 1976, at Lake Andes, South Dakota.


Circuit Judge

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF SOUTH DAKOTA

Magistrates Docket No. _____
Case No. _____

UNITED STATES OF AMERICA)

vs.)

AND)

AFFIDAVIT FOR
SEARCH WARRANT

BEFORE PAUL J. KERN, CIRCUIT JUDGE, FIRST JUDICIAL CIRCUIT, STATE OF SOUTH
DAKOTA, LAKE ANDES, SOUTH DAKOTA

The undersigned, being duly sworn deposes and says:

That he has reason to believe that on the premises known as house number [redacted] Wagner Indian Housing; a brick and wood structure with blue trim in the City of Wagner, County of Charles Mix, South Dakota, located on a tract of land in the E 1/2 of W 1/2 of SE 1/4 of Sec. 4, Twp. 95 N., Range 63, W. of the 5th P. M., as follows: Beginning at the Northeast corner of the W 1/2 of SE 1/4 of said Sec. 4, thence West along the quarter section line 75 feet to the true point of beginning, thence West along the said quarter section line 585 feet; thence South 1700 feet; thence East 595 feet; thence North 380 feet; thence East 65 feet; thence North 330 feet; thence West 75 feet; thence North 990 feet to the true point of beginning, containing 23.48 acres more or less in the District of South Dakota, there is now being concealed certain property, namely rifles, pistols and cartridges which were used by Michael Weston and [redacted] to shoot at and wound Russell Means [redacted] [redacted] during the early morning hours of May 5, 1976, near the house described above.

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And that the facts tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

As [redacted] of Police, Bureau of Indian Affairs, Yankton Indian Reservation, I personally took a statement from one [redacted] at 4:30 A. M. on May 5, 1976, that she saw on [redacted] Russell Means and that she saw one [redacted] on this date in the vicinity of the residence of Amelia Weston, House Number [redacted] Indian Housing, Wagner, South Dakota. That immediately after the shooting she saw [redacted] and [redacted] take the firearms they had used to shoot Russell Means [redacted] into the house of [redacted] House Number [redacted] Indian Housing, Wagner, South Dakota. Shortly thereafter she saw [redacted] and [redacted] exit this same house without the firearms.

page 1 (continued)

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF SOUTH DAKOTA

Magistrates Docket No. _____
Case No. _____

UNITED STATES OF AMERICA)

vs.)

AND)

AFFIDAVIT FOR
SEARCH WARRANT

b6
b7c

BEFORE PAUL J. KERN, CIRCUIT JUDGE, FIRST JUDICIAL CIRCUIT, STATE OF SOUTH
DAKOTA, LAKE ANDES, SOUTH DAKOTA

The undersigned, being duly sworn deposes and says:

That he has reason to believe that on the premises known as house number [redacted] Wagner Indian Housing; a brick and wood structure with blue trim in the City of Wagner, County of Charles Mix, South Dakota, located on a tract of land in the E 1/2 of W 1/2 of SE 1/4 of Sec. 4, Twp. 95 N., Range 63, W. of the 5th P. M., as follows: Beginning at the Northeast corner of the W 1/2 of SE 1/4 of said Sec. 4, thence West along the quarter section line 75 feet to the true point of beginning, thence West along the said quarter section line 585 feet; thence South 1700 feet; thence East 595 feet; thence North 380 feet; thence East 65 feet; thence North 330 feet; thence West 75 feet; thence North 990 feet to the true point of beginning, containing 23.48 acres more or less in the District of South Dakota, there is now being concealed certain property, namely rifles, pistols and cartridges which were used by [redacted] and [redacted] to shoot at and wound Russell Means [redacted] during the early morning hours of May 5, 1976, near the house described above.

And that the facts tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

I have been informed by [redacted] [redacted] of Police, Bureau of Indian Affairs, Yankton Indian Reservation, that he personally took a statement from one [redacted] in which she stated that she saw [redacted] Russell Means on this date in the vicinity of the residence of [redacted] House number [redacted] Wagner Indian Housing, Wagner, South Dakota, and immediately thereafter she saw the said [redacted] go into the house of [redacted] Indian Housing, Wagner, South Dakota with the gun he used to shoot Russell Means. Shortly thereafter she saw the said [redacted] leave this same house without the gun. He then departed the area in an automobile. I have personally examined this statement.

William F. Shroeder
P. J. K.

I have also been informed by [redacted] of Police. Bureau of Indian Affairs, Yankton Indian Reservation, that he personally took a statement from one [redacted] on May 5, 1976, that she saw [redacted] Russell Means and [redacted] on this date in the vicinity of the residence of [redacted] House number [redacted] Indian Housing, Wagner, South Dakota. That immediately after the shooting she saw [redacted] and [redacted] take the firearms they had used to shoot Russell Means [redacted] into the house of [redacted] House Number [redacted] Indian Housing, Wagner, South Dakota. Shortly thereafter [redacted] and [redacted] exited this same house without the firearms while still under her observation. They then departed the area in an automobile. I have personally read this statement.

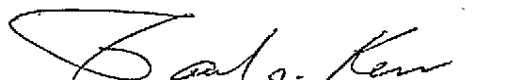
b6
b7C

I have also personally contacted [redacted] Bureau of Indian Affairs, Yankton Indian Reservation, Wagner, South Dakota, and from her records, she advised me that House number [redacted] Wagner Indian Housing is located on a tract of land leased by the Yankton Sioux Housing Authority from the Yankton Sioux Tribe described as follows: beginning at the Northeast corner of the W 1/2 of SE 1/4 of Section Four, Twp. 95 N., Range 63 W. of the 5th P. M., thence West along the quarter section line 75 feet to the true point of beginning; thence West along the said quarter section line 585 feet; thence South 1700 feet; thence East 595 feet; thence North 380 feet; thence East 65 feet; thence North 330 feet; thence West 75 feet; thence North 990 feet to the true point of beginning, containing 23.48 acres said tract being in the E 1/2 of W 1/2 of SE 1/4 of said Section 4, in the District of South Dakota.


Signature of Affiant

Title: Special Agent, F.B.I.

Subscribed and sworn to before me in my presence at Lake Andes, South Dakota, this 5th day of May, 1976.


Circuit Judge, State of S. D.

RC 70-11609

On May 6, 1976, RICHARD D. HURD, Assistant United States Attorney (AUSA), District of South Dakota, advised that subjects were arraigned this date before U. S. Magistrate VROOMAN, Sioux Falls, South Dakota, at which time bond was set for [redacted] and [redacted] at \$15,000 each and each at 10 percent. Bond was set for [redacted] and [redacted] at \$25,000 each and each at 10 percent. Bond for [redacted] was set at \$5,000 at 10 percent. Preliminary hearing was scheduled for May 11, 1976. U. S. Magistrate VROOMAN scheduled bond reduction hearing on May 7, 1976.

On May 7, 1976, AUSA HURD advised that request for bond reduction was denied at a hearing on this date.

b6
b7C

(Mount Clipping in Space Below)

Tuesday hearing set for shooting suspects

SIoux FALLS (AP) — A preliminary hearing is set Tuesday in Sioux Falls for five persons charged in the shootings of American Indian Movement leader Russell Means and AIM member John Thomas.

The five were arraigned Thursday and were being held under bond.

James Weddell, 19, and Michael Weston, 18, both of Wagner, were charged with assault with intent to kill. Bond was set at \$25,000.

Bond was set at \$15,000 each for Gerald Black Elk, 18, Rapid City, and Terry Provost, 23, Lake Andes. Each is charged on two counts as accessories after the fact.

A 17-year-old juvenile was also charged with being an accessory after the fact. His bond was set at \$5,000.

U.S. Magistrate David Vrooman declined to reduce bail for the defendants at a bond reduction hearing later in the day.

If convicted, Weddell and Weston could face a maximum 20 years in prison on each count. The maximum sentence for Black Elk and Provost if convicted is 10 years on each count.

The five individuals were arrested by Sioux City, Iowa, authorities Wednesday morning, seven hours after a shooting at a housing area near Wagner left Means and Thomas hospitalized.

Each suffered a single, small-caliber gunshot wound.

Means and Thomas were listed in good condition at Sacred Heart Hospital in Yankton. Family members indicated that Means might be released from the hospital in a week if there are no complications.

(Indicate page, name of newspaper, city and state.)

Page 2

Rapid City Journal

Date: 5-7-76

Edition:

Author:

Editor:

Title: Tuesday Hearing set

for shooting suspects

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

198-518

70-11609-11

SEARCHED INDEXED
SERIALIZED FILED

MAY 9 - 1976

Schroeder

FBI

Date: 5/6/76

005

Transmit the following in PLAINTEXT
(Type in plaintext or code)Via TELETYPE NITEL
(Precedence)TO: DIRECTOR, FBI *SLR*
MINNEAPOLIS *ACL*
OMAHA *PF*

FROM: ASAC, RAPID CITY (70-11609)

[REDACTED]; [REDACTED]; [REDACTED]
 [REDACTED]; [REDACTED] AKA; RUSSELL MEANS - VICTIM;
 [REDACTED] - VICTIM; CIR - ADW; JDA; OO: RAPID CITY
 (MINNEAPOLIS).

RE RAPID CITY TELETYPE TO BUREAU, PORTLAND, OMAHA AND
 MINNEAPOLIS DATED MAY 6, 1976.

INVESTIGATION REGARDING THIS MATTER DEVELOPED THE OBTAIN-
 ING FROM SERVICE STATION IN VERMILLION, SOUTH DAKOTA, ON MAY 5,
 1976, ONE HI-STANDARD SENTINEL DELUXE NINE SHOT .22 CALIBER
 WEAPON, SERIAL NUMBER [REDACTED] WEAPON POSSIBLY USED IN SHOOTING).
 THE FOLLOWING THREE WEAPONS WERE RECOVERED AT SIOUX CITY, IOWA,
 AT THE TIME OF ARREST OF SUBJECTS:

INA .38 CALIBER, FIVE SHOT REVOLVER, SERIAL NUMBER
 [REDACTED] NATIONAL ORDINANCE, .30 CALIBER CARBINE RIFLE, SERIAL
 NUMBER [REDACTED] ITHICA LEVER ACTION .22 CALIBER RIFLE, SERIAL
 NUMBER [REDACTED]

THE ABOVE FOUR WEAPONS SEARCHED THROUGH NCIC WITHOUT
 OBTAINING ANY HIT.

Approved: (1) *THG/amj*
 Special Agent in Charge

MP-6:55P
WA-9:45
OM-6:45P
198-5/8
70-11609-10

Schroeder

Searched *ad*
 Serialized *ad*
 Indexed *ad*
 Filed *ad*

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b7C

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Precedence)

PAGE TWO - RC 70-11609

BUREAU AGENTS ON MAY 5, 1976, INTERVIEWED RUSSELL MEANS AND [REDACTED] IN THE INTENSIVE CARE UNIT, SACRED HEART HOSPITAL, YANKTON, SOUTH DAKOTA. MEANS SAID HE WAS STAYING AT THE RESIDENCE OF RELATIVE IN WAGNER, SOUTH DAKOTA. DURING EARLY MORNING HOURS OF MAY 5, 1976, HE AND [REDACTED] ALONG WITH ABOUT TWELVE OTHER PERSONS, WERE IN A NEARBY HOUSE. WEAPONS WERE BEING PASSED AMONG ALL OF THE INDIVIDUALS AND BEING INSPECTED AND SHORTLY AFTER THIS HE AND [REDACTED] DECIDED TO LEAVE THE HOUSE. FOR SOME UNKNOWN REASON, ONE OF THE INDIVIDUALS GOT MAD AND [REDACTED] AND [REDACTED] PUT GUNS ON HE [REDACTED] ORDERING THEM OUT OF THE HOUSE AT GUNPOINT. BOTH WERE MADE TO SIT IN THE STREET IN FRONT OF THE HOUSE WHEREUPON [REDACTED] HOLDING A .22 CALIBER RIFLE, BOLT ACTION, [REDACTED] HIM [REDACTED] WAS HOLDING TWO COCKED HANDGUNS AND [REDACTED] [REDACTED] AND [REDACTED] THEN FLED THE AREA. MEANS ADVISED NO ONE ELSE WAS PRESENT DURING THE TIME OF THE SHOOTING. MEANS ADVISED NONE OF THE WEAPONS BELONGED TO EITHER HE OR [REDACTED] AND NO PERSONAL PROPERTY WAS TAKEN FROM THEM. MEANS

b6
b7CApproved: _____ Sent _____ M Per _____
Special Agent in Charge

F B I

Date:

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(Precedence)

PAGE THREE - RC 70-11609

WHEN QUESTIONED CONCERNING WHAT CAUSED THE INCIDENT INDICATED POSSIBLE THEFT AND THEN SAID HE DIDN'T KNOW.

IN INTERVIEW WITH [REDACTED] QUESTIONS WERE DIRECTED TO HIM IN VIEW OF THE FACT THAT BASED ON HIS FACIAL WOUNDS HE WAS UNABLE TO TALK VERY COHERENTLY OR EXTENSIVELY. [REDACTED] IN RESPONDING TO QUESTIONS STATED HE AND MEANS WERE LED OUT OF A HOUSE AT WAGNER, SOUTH DAKOTA, AT GUNPOINT DURING THE VERY EARLY MORNING HOURS OF MAY 5, 1976. HE WAS NOT PERSONALLY ACQUAINTED WITH [REDACTED] OR [REDACTED] BUT COULD IDENTIFY BOTH HIS ASSAILANT AND THE MEANS ASSAILANT IN COURT. HE SAID HE WAS SHOT BY THE MAN WHO HAD A RIFLE WHILE HE WAS LYING DOWN IN THE STREET. [REDACTED] SAID HE WAS NOT CERTAIN AS TO WHICH INDIVIDUAL OR WHICH TYPE OF WEAPON WAS USED TO SHOOT RUSSELL MEANS. HE SAID HE DID NOT KNOW WHO THE OWNER OF THE WEAPONS WAS AND SAW NO ONE ELSE IN THE AREA AT THE TIME OF THE SHOOTING.

BOTH INTERVIEWS WERE CONCLUDED PRIOR TO EXTENSIVE QUESTIONING IN VIEW OF THE EXTENSIVE PAIN AND DROWSINESS DUE TO SEDATIVES OF BOTH VICTIMS.

ON MAY 6, 1976, INITIAL HEARINGS FOR SUBJECTS HELD BEFORE U.S. MAGISTRATE DAVID V. VROOMAN, SIOUX FALLS, SOUTH DAKOTA.

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Approved: _____ Sent _____ M Per _____
Special Agent in Charge

F B I

Date:

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(Type in plaintext or code)Via _____
(Precedence)

PAGE FOUR - RC 70-11609

PRELIMINARY HEARING SCHEDULED FOR ALL SUBJECTS ON MAY 11, 1976.

BOND SET FOR [] AND [] AT \$15,000 AT TEN PERCENT,
FOR [] AND [] AT \$25,000 AT TEN PERCENT. BOND

REDUCTION HEARINGS SET AT SIOUX FALLS, SOUTH DAKOTA, MAY 6, 1976.

BOND FOR [] (JUVENILE) SET AT \$5,000, TEN PERCENT.

CASE WAS CONTINUED TO U.S. DISTRICT COURT WHERE IT WAS
INDICATED PROSECUTIVE ACTION WILL TAKE PLACE WITHIN THIRTY
DAYS.
END.

b6
b7cApproved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Five facing arraignment in Means, Thomas shooting

SIoux FALLS (AP) — Five men were to be arraigned before a U.S. Magistrate here Thursday in the shooting of American Indian Movement (AIM) leader Russell Means and another AIM member.

The five were arrested in Sioux City, Iowa Wednesday, about seven hours after a shooting incident at Wagner on the Yankton Sioux Reservation that injured Means and John Thomas.

The FBI said two of the men would be charged with attempted murder on an Indian reservation. They were identified as Michael Weston, 19, and James Weddell, 19, both of Wagner.

The other three were charged with being accessories after the fact. The FBI identified them as Gerald Black Elk, Terry Provost and an unnamed juvenile.

A sixth man was arrested, but released without being charged, authorities said.

The five were transferred from Sioux

City to a Sioux Falls jail Wednesday night.

The arrests were made around 11 a.m. at a house in the northern part of Sioux City. A reporter who witnessed the arrests said FBI agents and Sioux City police armed with shotguns confiscated weapons and ammunition.

The shooting victims were listed in satisfactory condition after surgery at Sacred Heart Hospital in Yankton. They were under sedation and could not be reached for comment Wednesday night.

Hospital administrator Ron Morton said Means was hit in the lower chest by a single, small-caliber bullet, which exited through his side without hitting any vital organs. There were no internal injuries, he said.

Thomas was hit in the face by a single bullet, which cut through his nose and neck.

Morton said the men might be

removed from the intensive care unit today.

Neighbors said the shooting took place outdoors after an argument developed at a party.

One day earlier, Means had criticized AIM cofounder Dennis Banks for "selling out" the militant Indian group in order to be freed from weapons charges in Oregon.

Means, a 37-year-old Porcupine resident, said he and Thomas were on the Yankton Sioux Reservation to plan the American Indian Treaty Conference scheduled in June. Thomas, an Oklahoman, is coordinator of the conference.

Circuit Court Judge Richard Braithwaite, Sioux Falls, ordered an investigation into Means' presence on the Yankton Sioux Reservation at the time of the shooting.

Means was free on bond after his conviction for riot in Sioux Falls.

(Indicate page, name of newspaper, city and state.)

PAGE 1

RAPID CITY
JOURNAL

RAPID CITY,
SOUTH DAKOTA

Date: May 6, 1976
Edition: FINAL
Author:
Editor: JAMES M. KUEHN
Title:

Character:
or
Classification:
Submitting Office:

☐ Being Investigated

198-518-
70-11609-9
SEARCHED *md* INDEXED *md*
SERIAL *md* FILED *md*

MAY 6 1976

FBI - MINNEAPOLIS

F B I

Date: 5/6/76

PROO1
11:40 AMTransmit the following in PLAINTEXT
(Type in plaintext or code)Via TELETYPE URGENT
(Precedence)

TO: DIRECTOR, FBI - 12:20 pm / CCS

MINNEAPOLIS - 12:25 pm / SLR

OMAHA - 12:30 pm / GAY

PORTLAND 12:42 pm / LJQ

FROM: ASAC, RAPID CITY (70-11609)

"CHANGED";

AKA

RUSSELL MEANS - VICTIM;

VICTIM; CIR - ADW; JDA; OO: RAPID CITY (MINNEAPOLIS).

TITLE CHANGED TO ADD THE NAME OF

WHICH WAS DETERMINED TO BE TRUE NAME OF SUBJECT ARRESTED THROUGH
FURTHER INTERVIEWS AND INVESTIGATION BY THE FBI AT SIOUX CITY,
IOWA.COMPLAINTS FILED AND WARRANTS ISSUED AT PIERRE, SOUTH DAKOTA,
AGAINST AND ON MAY 5, 1976, CHARGING ASSAULT WITH
INTENT TO KILL, TITLE 18, U.S. CODE, SECTION 1153 AND 113(A).

ON THE SAME DATE, COMPLAINTS FILED AND WARRANTS ISSUED AGAINST

AND CHARGING ACCESSORY AFTER THE FACT IN

(Re Assault with Intent to Kill)

VIOLATION TITLE 18, U.S. CODE, SECTION 3. USA'S OFFICE, SIOUX
FALLS, SOUTH DAKOTA, FILED AN INFORMATION CHARGING

2 - Rapid City

(1 - 70-11609)

(1 - 70-9926)

198-518

70-11609-8

Schneider. S

THG/amj
(2) amj

Approved:

Special Agent in Charge

Sent see above P M

P

Serialized

Indexed

Filed

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Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Precedence)

PAGE TWO - RC 70-11609

JUVENILE, ALSO WITH ACCESSORY AFTER THE FACT, TITLE 18, U.S. CODE, SECTION 3. SUBJECTS ALL TRANSPORTED FROM SIOUX CITY, IOWA, BY U.S. MARSHALS SERVICE TO SIOUX FALLS, SOUTH DAKOTA, AND WILL APPEAR BEFORE U.S. MAGISTRATE THIS DATE.

INTERVIEW WITH VICTIM MEANS CONDUCTED AND TELETYPE FORTHCOMING CONCERNING SAME.

NCIC CLEARED CONCERNING [REDACTED] - FUGITIVE
RE RAPID CITY FILE 70-9926, Bufile 70-65273
END.

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b7c

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

PRESS RELEASE

Minneapolis, Minnesota
May 5, 1976

BILL MEINCKE, Special Agent in Charge, Minneapolis Division, Federal Bureau of Investigation, Minneapolis, Minnesota, announced today the arrest of five individuals in connection with the early morning shooting on May 5, 1976, of RUSSELL MEANS, age 36, Procupine, South Dakota, and JOHN M. THOMAS, from the State of Oklahoma. The incident happened at the Indian Housing Project, Wagner, South Dakota, which is on the Yankton Indian Reservation.

MEINCKE identified the individuals arrested as FRANCIS ALLEN ARCHAMBEAU, MIKE WESTON, TERRY PROVOST, JAMES WEDDELL and a juvenile. All individuals arrested are Indian males from the Wagoner, South Dakota, area.

The five were arrested on May 5, 1976, by the Sioux City Police Department, Sioux City, Iowa, as a result of an All Points Bulletin. All five were incarcerated at the Sioux City Police Department.

MEANS and THOMAS are currently in the Sacred Heart Hospital, Yankton, South Dakota, where MEANS is listed in good condition and THOMAS is listed in serious condition.

The investigation and arrests were the results of the combined efforts of the FBI; DON LOUDNER, Superintendent, Bureau

① - 70-NEW
1 - 80-355-Sub A
1 - Each Supervisor
1 - [redacted]
1 - NS [redacted]
1 - Special Clerks
1 - SAC Secretary
[redacted] kae

198-518-
70-11609-7

SEARCHED	INDEXED
SERIALIZED	FILED
MAY - 8 1976	
FBI - MINNEAPOLIS	

Schraeder

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b7c

of Indian Affairs, Yankton Indian Reservation; REUBEN HUBERT, Sheriff, Charles Mix County, South Dakota; Captain DUANE LARSON, South Dakota Highway Patrol and BERNIE CHRISTENSEN, Department of Criminal Investigation, South Dakota Attorney General's Office.

WILLIAM CLAYTON, U. S. Attorney, Sioux Falls, South Dakota, authorized filing of Federal complaints against these individuals charging WESTON and WEDDELL with Attempted Murder On an Indian Reservation and the others with Accessory After the Fact. The individuals arrested will appear before the U. S. Magistrate, Sioux Falls, South Dakota.

May 5, 1976

P R E S S R E L E A S E

Special Agent in Charge, WILLIAM A. MEINCKE, FBI, Minneapolis, Minnesota, announced today the arrest of five individuals in connection with the early morning shooting of RUSSELL MEANS and JOHN THOMAS. The incident happened at Wagner, South Dakota Indian Housing, which is on the Yankton Indian Reservation.

MEINCKE added that the individuals arrested are FRANCIS ALLEN ARCHAMBEAU, MIKE WESTON, TERRY PROVOST, JAMES WEDDELL and a juvenile. All are Indian males from the Wagner, South Dakota area.

The five were arrested by the Sioux City, Iowa, Police Department, Sioux City, as a result of an All-Points-Bulletin issued early this morning. MEANS and THOMAS are currently in Sacred Heart Hospital, Yankton, South Dakota, where MEANS is listed in good condition and THOMAS is listed in serious condition.

The investigation and arrest were the results of the combined efforts of the FBI; DON LOUDNER, Superintendent, Bureau of Indian Affairs, Yankton Indian Reservation; REUBEN HUBERT, Sheriff, Charles Mix County; Captain DUANE LARSON, South Dakota Highway Patrol; BERNIE CHRISTENSEN, Department of Criminal Investigation of the South Dakota Attorney General's Office.

70-1000-6
198-518-6
Searched
Serialized
Indexed
Filed
Schroeder

WILLIAM CLAYTON, United States Attorney, Sioux Falls, South Dakota, authorized filing of Federal complaints against these individuals charging WESTON and WEDDELL with Attempted Murder and the others with Accessory After the Fact. Those arrested will appear before the United States Magistrate, Sioux Falls, South Dakota.

1 - ASAC

① - 70-11609

1 - 80-355 Sub B

1 - 80-355 Sub A

(Mount Clipping in Space Below)

Means, Thomas 'satisfactory' after shooting

WAGNER (AP) — American Indian Movement (AIM) members Russell Means and John Thomas were listed in satisfactory condition Wednesday after undergoing surgery for gunshot wounds received at the Yankton Sioux Reservation.

Ron Morton, administrator at Sacred Heart Hospital at Yankton, said Means suffered a single 'small-caliber' bullet wound in the lower chest. There were no internal injuries, he said.

Thomas underwent exploratory surgery for damage to the face and neck from a single shot, Morton said.

The men were shot at a housing area.

Atty. Gen. William Janklow said Means and Thomas were shot at 4 a.m. by James Weddell, 19, and Michael Weston, 18, both of Wagner. He said the two suspects then fled.

Nine members of the state Division of Criminal Investigation, several FBI agents and sheriff deputies searched for the pair, along with a third suspect. At least four cars were sought in the reservation area in southeastern South Dakota.

Janklow said Means and Thomas were at the reservation to plan an AIM treaty conference scheduled for the reservation later this summer.

He could not give details of the shooting.

Weston and Weddell were charged in the occupation last July of a pork plant in Wagner. Weddell later escaped and has remained at large. Weston was free on bond following his conviction of burglary in the incident.

Donald Loudner, newly appointed superintendent of the Bureau of Indian Affairs office at the reservation, said Thomas is coordinator of the American Indian Treaty Conference scheduled for June. Thomas, an Oklahoman, has acted in the past as a spokesman for AIM.

Means is a cofounder of AIM and gained national prominence for leading the 73-day occupation of Wounded Knee in 1973.

Loudner said there were eye-witnesses to the shooting and that BIA police and FBI agents had taken written statements. He said he talked with both Means and Thomas before they were transferred to Yankton.

(Indicate page, name of newspaper, city and state.)

PAGE 1

RAPID CITY
JOURNAL

RAPID CITY,
SOUTH DAKOTA

Date: May 5, 1976
Edition: FINAL
Author:
Editor: James m. Kuehn
Title:

Character:
or
Classification:
Submitting Office:

☐ Being Investigated

70-10409-4
SEARCHED INDEXED
SERIALIZED FILED

MAY 5 1976

FBI - MINNEAPOLIS

UNITED STATES GOVERNMENT

Memorandum

TO : ASAC, RAPID CITY (70-

DATE: 5/5/76

FROM : SA [REDACTED]

SUBJECT: [REDACTED]

[REDACTED] - VICTIM;
[REDACTED] - VICTIM;
CIR - ADW

At approximately 4:30 AM this date, four subjects listed above who are Indian males shot, according to witnesses, MEANS [REDACTED] in the Wagner Housing, Wagner, South Dakota. Wagner Housing is Indian trust land deeded to the Yankton Sioux Tribe of Indians.

MEANS [REDACTED] currently in Sacred Heart Hospital in Yankton, South Dakota. MEANS in surgery at this time. Initial reports indicate he was shot twice in the trunk of the body with .22 revolver and is in serious to critical condition. [REDACTED] .22 revolver [REDACTED] either [REDACTED] or vice versa. His condition is critical.

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Investigation to date has determined a weapon, .22 revolver, not further described, was pawned 7:30 AM this date at the Kerr McGee Service Station, Vermillion, South Dakota. The four young Indian males in the vehicle at the time the weapon was pawned. Investigation in this matter being conducted by Agents, Sioux Falls, South Dakota Resident Agency.

SA WILLIAM R. SCHROEDER, Pierre, South Dakota Resident Agency, along with [REDACTED] DCI, Pierre, are currently en route Vermillion, South Dakota, to furnish photographs of suspects to Sioux Falls Agents covering investigation Vermillion. SRA [REDACTED] and one other Agent are at the Sacred Heart Hospital, Yankton.

Investigation; neighborhood, crime scene and witnesses continuing Wagner, South Dakota. As soon as



(2) - Rapid City

dl

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

198-518
70-11609-3

SEARCHED <i>md</i>	INDEXED <i>md</i>
SERIALIZED <i>md</i>	FILED <i>md</i>
MAY 5 1976	
FBI - MINNEAPOLIS	

Schroeder

RC 70-

possible, teletype summary will be dictated for the Bureau. Numerous press inquiries and news media contacts already in process Wagner area.

ADDENDUM:

SRA [REDACTED] can be reached at the following telephone numbers:

605-384-3651

605-384-3652

605-384-3653

b6
b7C

"TREAT AS BLUE COPY"

005

URGENT TO BUREAU

6:15PM URGENT MAY 5, 1976 PCW

TO DIRECTOR *SLR*

OMAHA *PF*

PORTLAND *JHB*

MINNEAPOLIS - *MJS*

FROM RAPID CITY (75-11609) (P)

ATTN: SIB, INTD.

70-10239-H2-34
70-9926

CHARACTER -

Michael Bayo
70-9926

[REDACTED] RUSSELL MEANS -
VICTIM: [REDACTED] VICTIM, CIP - [REDACTED], DOB: RAPID CITY (MP).

TITLE HADSTO CHANGED TO ADD NAMES OF SUBJECTS DEVELOPED THROUGH
INVESTIGATION. TITLE FORMERLY CARRIED AS:

SUSPECT: RUSSELL MEANS - VICTIM: JOHN THOMAS - VICTIM. CIP - ADV.

RE RAPID CITY TELETYPE TO THE BUREAU DATED MAY 5, 1976.

AT APPROXIMATELY 4:30 AM THIS DATE, RUSSELL MEANS AND [REDACTED]

[REDACTED] AIR LEADERS, WERE SHOT AND WOUNDED WHILE AT MAGNET
INDIAN HOUSING, WAGNER, SOUTH DAKOTA. MEANS WAS WOUNDED IN THE
UPPER BODY, THOMAS IN THE FACE AND NECK. BOTH MEN WERE SHOT WITH
WHAT APPEARS TO BE A SMALL CALIBER WEAPON.

MEANS [REDACTED] URGENT SURGERY, SACRED HEART HOSPITAL,
YANKTON, SOUTH DAKOTA, WHERE MEANS IS CARRIED AS SATISFACTORY

[REDACTED] AS SERIOUS REGARDING THEIR CONDITION.

198-518-
~~70-11609-2~~

Schneider

PD-6:15P
OM-6:50P
MP-6:35P

Searched *and*
Serialized *and*
Indexed *and*
Filed *and*

Wagner 5/3/76

sent via 7:05 PM per [signature]

PAGE TWO PG 79-11039

MEANS' [REDACTED] AT THE HOSPITAL, HAS ADVISED RUSSELL WANTED TO TALK TO AN FBI AGENT PRIOR TO SURGERY RE THE SHOOTING. AGENTS ARE STANDING BY AT THE HOSPITAL TO INTERVIEW MEANS WHEN PHYSICIAN ALLOWS SAME. MEANS WILL BE INTERVIEWED BETWEEN 6:00 AND 8:00 PM THIS DATE. [REDACTED] WILL BE INTERVIEWED WHEN PHYSICALLY ABLE.

SIOUX CITY POLICE DEPARTMENT AND FBI AGENTS, SIOUX CITY, IOWA, FROM ARE INFORMATION RELEASED EARLY MORNING OF MAY 5, 1976,

APPREHENDED INDIVIDUALS BELIEVED TO BE [REDACTED]
INDIAN MALE BORN [REDACTED], INDIAN MALE BORN [REDACTED]
[REDACTED], INDIAN MALE BORN [REDACTED]
[REDACTED], INDIAN MALE BORN [REDACTED]
AND [REDACTED] INDIAN MALE BORN [REDACTED]
(A JUVENILE).

EYE WITNESSES, MEANS AND [REDACTED] HAD PREVIOUSLY IDENTIFIED [REDACTED] AND [REDACTED] WITNESSES ALSO PLACE [REDACTED] IN FLEEING WHITE VEHICLE WITH [REDACTED] AND OTHERS.

USA, WILLIAM F. CLAYTON, SIOUX FALLS, SOUTH DAKOTA, ON THE SCENE AT WAGNER, SOUTH DAKOTA, AUTHORIZED COMPLAINT CHARGING [REDACTED] AND [REDACTED] WITH VIOLATION U.S. CODE TITLE 18 SECTION 1153, CIR - ATTEMPTED MURDER. THE OTHER THREE, INCLUDING THE JUVENILE, WERE CHARGED WITH THE SAME VIOLATION,

b6
b7c

ATTEMPTED MURDER - ACCESSORY AFTER THE FACT. BOND RECOMMENDED

AND

\$50,000:

AND

\$25,000 AND

THE JUVENILE, \$5,000. ALL FIVE WILL BE TRANSPORTED BY U.S. MARSHAL TO SIOUX FALLS, SOUTH DAKOTA FOR ARRAIGNMENT AS THE COMPLAINT WAS SIGNED WITHIN 100 MILES OF THE PLACE OF APPREHENSION. ARRAIGNMENT TENTATIVELY SCHEDULED FOR MAY 6, 1976.

THE WAGNER INDIAN HOUSING IS TRUST LAND UNDER DOCUMENT 346-7636 ACCORDING TO BOB LOUCKER, SUPERINTENDENT, BIA, YANKTON INDIAN RESERVATION. UNDER LEASE AGREEMENT DATED AUGUST 30, 1972, 23.474 ACRES OF THIS TRUST LAND IS LEASED TO THE YANKTON SIOUX TRIBE FOR LOW COST HOUSING. THIS IS THE SAME TRUST LAND WHICH WAS PREVIOUSLY ADJUDICATED UNDER THE WAGNER POKE PLANT TRIALS OF 1975.

OMAHA WILL SUBMIT RESULTS OF INVESTIGATION AT SIOUX CITY TO ASAC, RAPID CITY AS EXPEDITIOUSLY AS POSSIBLE.

INVESTIGATION TO DATE HAS FAILED TO ESTABLISH MOTIVE FOR INCIDENT BETWEEN SUBJECTS AND VICTIMS. HOWEVER, DISPUTE POSSIBLY CAUSED BY RECENT COMMENTS MADE BY DEWIS BANKS IN PORTLAND, OREGON WHICH MEANS TOOK ISSUE WITH. ALL INDIVIDUALS INVOLVED, KNOWN ACTIVE AIM AND SUBJECTS ALLEGEDLY MEMBERS OF "EAGLE WARRIOR SOCIETY" OF AIM.

INVESTIGATION WAGNER, S.D., AND SIOUX CITY, IOWA CONTINUING.

SUBJECTS SHOULD BE CONSIDERED ARMED AND DANGEROUS.

END

FBI PORTLAND JMB CLR FOR ONE TEL TFS

b6
b7c

NR301 FC CODE

78241 URGENT MAY5, 1978 ULM

TO DIRECTOR, FBI
SAC, MINNEAPOLIS
SAC, PORTLAND

FROM ASAC, RAPID CITY (73-NEW)

ATTENTION: GENERAL CRIMES UNIT: GENERAL INVESTIGATIVE DIVISION;

RE: JOHN C. GORDON. *Mun's*
ref's.

UNSUB: DUGSTELL CHARLES MEANS- VICTIM [REDACTED] *Mun's*
ref's. VICTIM: CIT-
ASSAULT.

AT APPROXIMATELY 4:45 AM EST THIS DATE DUGSTELL CHARLES MEANS,
AIM LEADER [REDACTED] REPORTEDLY NATIONAL AIM PUBLIC RELATION,
WERE SHOT ON THE YANKTON INDIAN RESERVATION, WAGNER, SOUTH
DAKOTA BY UNIDENTIFIED ASSAILANTS. BOTH MEANS [REDACTED] TAKEN TO
HOSPITAL WHERE THEIR CONDITION IS UNKNOWN AT THIS TIME. [REDACTED]
IS REPORTEDLY THE MORE SERIOUSLY INJURED HAVING BEEN SHOT
SEVERAL TIMES IN THE FACE AND BODY. MEANS REPORTEDLY SHOT ONCE
IN THE CHEST AREA.

INITIAL REPORTS INDICATE THAT MEANS [REDACTED] IN ATTENDANCE
AT AIM MEETING ON YANKTON RESERVATION WHEN ARGUMENT BROKE OUT AMONG
THOSE IN ATTENDANCE RESULTING IN SHOOTING INCIDENT.

INVESTIGATION IMMEDIATELY INSTITUTED AND 17 AGENT PERSONNEL HAVE
BEEN SENT TO WAGNER, SOUTH DAKOTA FROM PIERRE RA AND RAPID CITY OFFICE.

70-11609-1
198-5180

TREAS
OFFAS

BLUE

dgw

Schroeder

Searched *smc*
Serialized *smc*
Indexed *smc*
Filed *smc*

PAGE TWO RC 70-NEW

BUREAU WILL BE KEPT APPRAISED OF DEVELOPMENTS.

USERS SHOULD BE CONSIDERED ARMED AND DANGEROUS.

END

MP 720 AM SR
NA 725 AM CCS
PD 727 AM GMK

Date

4/25/76

b6
b7C

[Redacted]

ET AL
Russell Charles Means - Victim

CIR - ADU; Possession
of a weapon by a felon,
etc.

[Redacted]

- Victim

Date on Which Property Acquired

2/16/77

LT.

[Redacted]

Sioux City, Police Dept.

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Bulky

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

10 Photographs taken 5/5/76 relating
to arrests of subjects in Sioux City,
Iowa,

Evidence carried back to
Minneapolis 7-14-78 via
truck
pmi

Destroyed

R/S sent to Schroeder
9-30-77 re: evidence
pmi

SEARCHED	INDEXED
SERIALIZED	FILED
APR 25 1977	
FBI - MINNEAPOLIS	

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

70-11609 -1B9
MP-RC

Field File #

70-11609
198-518

Date 5/5/76

Title and Character of Case

Russell Means-VICTIM;;
VICTIM;; CIR-ADW; JDA
OO: Rapid City, Minneapolis

Date Property Acquired

5/5/76

Source From Which Property Acquired

Dr.
DR.

Location of Property or Bulky Exhibit

Rapid City, S.D.

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

Three (3) 25 cal. rounds

One (1) slug fragment

b6
b7C

*sent to Sioux Falls
10-5-76
returned to R.C.
10-23-76
sent to Sioux Falls 2-1-77
returned to R.C. 2-11-77 A*

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 25 1976	
FBI - MINNEAPOLIS	

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Field File # 70-14609-1B 8

198-518

Date 5/18/76

Title and Character of Case

[Redacted]

RUSSELL MEANS - VICTIM;
[Redacted] - VICTIM;
CIR - ASSAULT WITH INTENT TO KILL;
JDA

aka;

Date Property Acquired

5/5/76

Source From Which Property Acquired

SAs [Redacted] JR. and [Redacted]
Taken from trunk of car

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

✓ One .22 caliber spent cartridge found in Ithica rifle
Serial Number [Redacted]

b6
b7C

✓ Two .22 caliber live rounds found in Ithica rifle Serial
Number [Redacted]

.22 caliber Ithica rifle was turned over to
the U.S. Marshal, Pierre, S.D. on 3-30-78
for destruction

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 25 1976	
FBI - MINNEAPOLIS	

item #1 and one from #2
sent to FBI Lab 5-18-76

SA [Redacted] JR.
SA [Redacted]

Returned to RC 8-9-76
sent to Sioux Falls 10-5-76
Returned to R.C. 10-23-76

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

WRS:arw
(3) [Signature]

sent to Sioux Falls 2-1-77
Returned to RC 2-11-77

Field File # 70-11609 -1B7

198-518

Date 5/18/76

Title and Character of Case

ET AL.

RUSSELL MEANS - VICTIM;

- VICTIM;

CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

5/5/76

Source From Which Property Acquired

Sioux City, Iowa, Police Department

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

b6
b7C

Description of Property or Exhibit and Identity of Agent Submitting Same

- ✓ 1. One INA .38 caliber revolver Serial Number ✓
2. One brown holster and five live rounds of .38 caliber ammunition ✓
- ✓ 3. One .30 caliber National Ordinance, Inc. carbine Serial Number ✓
4. One .30 caliber magazine clip with 15 rounds of ammunition ✓
5. 9 S & W .38 caliber short cartridges ✓
6. One .38 caliber Winchester cartridge ✓
7. 63 .22 caliber Federal long rifle cartridges ✓
8. 11 Federal .22 caliber long rifle ✓
9. Two dimes ✓
10. Three pennies ✓
11. One religious tobacco pouch ✓
12. Two .30 caliber 15 round capacity magazines topped together ✓
and 30 rounds of .30 caliber
13. 6.30 caliber carbine cartridges. ✓

Returned to [redacted] Property Office, Sioux City, Iowa, PD on 11-30-77; Sec 1A(33) items #1, #3 sent to FBI Lab 5-18-76 for receipt and returned to RC 8-9-76

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
MAY 25 1976	
FBI - MINNEAPOLIS	

SA JR.

sent to Sioux Falls 10-5-76 returned to RC 10-23-76

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

WRS:arw
(3) *amw*

Field File # 70-11600-1B6

198-518

Date 5/18/76

Title and Character of Case

ET AL.

RUSSELL MEANS - VICTIM;

- VICTIM;

CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

5/5/76

Source From Which Property Acquired

FRED ZEPHIER

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

b6
b7C

Description of Property or Exhibit and Identity of Agent Submitting Same

One bloody shirt received from FRED ZEPHIER.

*all items sent to
FBI lab 5-18-76
returned to RC 8-9-76
sent to Sioux Falls 10-5-76
returned to R.C. 10-23-76 SA*

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 25 1976	
FBI - MINNEAPOLIS	

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

WRS:arw
(3) arw

Field File # 70-11600-1B5

198-518

Date 5/18/76

b6
b7C

Title and Character of Case

ET AL.
RUSSELL MEANS - VICTIM;
- VICTIM;
CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

5/5/76

Source From Which Property Acquired

Vermillion, South Dakota Police Department

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

✓ One .22 caliber revolver Sentinel Deluxe High Standard
Serial Number

*Returned to Vermillion, S.D. Police Dept.
on 11-25-77; see serial 152 pmd*

SA WILLIAM R. SCHROEDER

*all items sent to
FBI Lab 5-18-76
returned to RC-
8-9-76*

sent to Sioux Falls 10-5-76

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
MAY 25 1976	
FBI — MINNEAPOLIS	

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

returned to R.C. 10-23-76

WRS:arw
(3) amw

*sent to Sioux Falls 2-1-77
Returned to RC 2-11-77*

Field File # 70-11609-1B4
198-518-

Date 5/18/76

b6
b7C

Title and Character of Case

ET AL.

RUSSELL MEANS - VICTIM;

[REDACTED] - VICTIM;

CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

5/5/76

Source From Which Property Acquired

Dr. [REDACTED]

Yankton, South Dakota

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

One partial projectile taken from [REDACTED]

*all items sent to
FBI Lab 5-18-76*

returned to R.C.

*8-9-76
sent to Sioux Falls 10-5-76 SA
returned to R.C. 10-23-76 SA*

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 25 1976	
FBI - MINNEAPOLIS	

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

WRS:arw
(3) *arw*

*Sent to Sioux Falls 2-1-77
Returned to R.C. 2-11-77*

Field File # *70-11600-183*
198-518-

Date _____

5/18/76

Title and Character of Case

ET AL.

RUSSELL MEANS - VICTIM;

[REDACTED] - VICTIM;

CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

Source From Which Property Acquired

5/5/76

White Pontiac Tempest

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

b6

b7C

Description of Property or Exhibit and Identity of Agent Submitting Same

✓ One projectile taken from white Pontiac Tempest.

all items sent to
FBI Lab 5-18-76

returned to RC

SA

8-9-76A

sent to Sioux Falls 10-5-76

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

RETURNED TO R.C. 10-23-76

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
MAY 25 1976
FBI — MINNEAPOLIS

sent to Sioux Falls 2-1-77
Returned to R.C. 2-11-77
WRS:arw
(3) *me*

Field File # ~~70-11609~~-1B2

198-5187

Date 5/18/76

b6
b7C

Title and Character of Case

[REDACTED]
ET AL.
RUSSELL MEANS - VICTIM;
[REDACTED] - VICTIM
CIR - ASSAULT WITH INTENT TO KILL; JDA

Date Property Acquired

5/5/76

Source From Which Property Acquired

Dr. [REDACTED]

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

Evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

One projectile taken from clothes of RUSSELL MEANS.

*all items sent to
FBI Lab 5-18-76*

Returned to R.C.

SA [REDACTED]

8-9-76

sent to Sioux Falls 10-5-76

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Returned to R.C. 10-23-76

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
MAY 25 1976	
FBI — MINNEAPOLIS	

sent to Sioux Falls 2-7-77
Returned to R.C. 2-11-77

Field File # *20-11609-131*

WRS:arw
(3) arw

198-518